Preserve

App. F. IX-4

1944.
(Mar)

File No. 118-44

Serial Nos. 1, 2, 3, 4, 7, 8, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, & 29

Previous References.
Rev. 367-42-1 & 2
Rev. 12-38-1 & 7
" 1-20-1 & 29
" 117-36-1 & 4
Rev. 182-35-1 & 4
Rev. 561-15-1 & 17
" 66-21-1 & 2
" 79-02
-29-
Revenue 219-46-1-b.

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Inward Secretariat

Part B for April 47

SUBJECT

Re: Agraharatha Honours to be given at Mulbagal to Sri Narayanaswamy to Sri Athabalathur & Sri Parakalaswami

To the Dist. Collr, Bellary
No. R. 9502/dated 21-4-47
Intimating to dispose of the case after hearing the parties.

To the Appellants & Respdts thro their Advocate
No. R. 9503-4-dated 1-4
that the records

G. R. S. APP. F. III—1]

GENERAL AND REVENUE SECRETARIAT.

(Mutz.)

NOTES.

File No. 118 – 44

FILE HEADING

Claim of the head of Sri Ahobala Mutt to Agrathirtha Honours in Sri Narayana Swamy Temple at Melkote, French Rocks Taluk.

FROM

Sri S. Srinivasa Raghavachari, General Agent of Sri Ahobala Mutt, Thulasi Thota, Bangalore City.

No. — Dated 11th November 1944 Received 13th November 1944.

Diary No. 19606/R | Enclos. 5 Spare copies — | Serial No. 1

BRIEF ABSTRACT OF LETTER

Requesting in the circumstances explained that instructions may be issued to the authorities concerned, to extend Agra Thirtha Honours to Sri Ahobala Swamy in accordance with the injunctions contained in the Nirupas stated to have been granted by H. H. Krishnaraja Wodeyar III on 30.1.1825 and 19.4.1826.

NOTES AND ORDERS.

Ministers Minute on the P. U.D. Refers and a note early. Gen. Secy. 14/11/44 H.V.S.

(1) Submitted for perusal.

(2) In spite of the search made to trace the records bearing on the subject subsequent to 1900, no references are available. As regards the Nirupas mentioned in the petition, a further search is being made in the vernacular records, and will be put up, as soon as any record is available.

(3) Reference is invited to the G.O. dated the 19th August 1915. which related to the claim of the Swamy of Sri Parakala Mutt.

NOTES—First Sheet

WD 0555—GPB—3,750—28-1-39

Claim of the head of Sri Ahobala Mutt to Agrathirtha Honours in Sri Narayana Swamy Temple at Melkote

1960/N.

Mwz File No. 118 — — of 1934-45 | General and Revenue Secretariat

to Agrathirtha, including even his representative, in all Vishnu Temples in the State, & others, be they Matadhipatis or not. The head of Sri Ahobala Mutt was not a party in this case, and the issue related to 4 other Vishnu Temples besides Melkote Temple. The Claim of Sri Parakala Mutt is based on a Sirupa purporting to have been issued by H.H. Sri Krishnaraja Wodeyar III on 20th May 1811. One of the counter-claimant to this honour in Sri Narayana Swamy Temple at Melkote was the then head of Sri Yathiraja Mutt there. Govt. were pleased to agree with the findings of the committee (appointed by them to investigate the several claims to these honours) as regards Sri Yathiraja Mutt. That the head of this Mutt had not made out a right to receive these honours, before the Gurusthana of Sri Parakala Mutt in the Temple.

(4) In the absence of original records relating to the claim of the head of Sri Ahobala Mutt, the true position of the case cannot be understood. Even the manual of the Temple throws no light on this subject. In the circumstances, it is for consideration whether the M.C. may not be requested to submit urgently, a detailed report on all the points urged in the memorial. A draft is put up for orders.

(5) The fee of 1915 relates to the dispute between Sri Parakala Mutt and Sri Yathiraja Mutt and can not affect the other Mutts - particularly when the latter were not parties to it & they had no opportunity to adduce evidence in regard to

Food civil
NOV 21 1944
No 4120

Municipal election. The election petition therefore to be examined carefully.

(6) A report after enquiry may be called for from the D.C.

Sd/- 17/11/44

(7) This is an important case. A regular enquiry has to be held. The D.C. may be asked to submit a report after such an enquiry is held.

Sd/- 20/11

(8) Yes.

(9) A very early decision has to be taken, & communicated as the Sri Swamigal arrangements ~~have~~ dates of durbar to perform his duty in Bangalore & is eager to know it at the earliest.

Sd/- 24/11
XXX
25/11

(10) Submitted with reference to para 8 supra.

(11) The draft G.O. is for approval.

(12) As on Letter 25/11

25/11/44

Agrathirtha honours claimed by the Swamy of Sri Ahobala Mutt

1960/A/2158/R. 3112/R.

Continuation Sheet. Madras. File No. 118 1944-45

Current No. of Page 4

Memorial dated the 25th November 1944, from the Mukhtar and Adviser, Sri Parakala Mutt, stating that the Swamy of Sri Ahobala Mutt never enjoyed the Agrathirtha honours in preference to the representative of Sri Parakala Mutt, or simultaneously with the head of the latter institution when present in person, in the temple of Sri Narasimha Swamy at Melkote, and requesting that before orders may not be passed ex-party, after hearing the Mutt. [2]

Issued S.O.-R. 3682, dated the 29th November 1944 [3]

To - The Madras Commissioner in Mysore.

Calls for a report on the points urged in the memorial of the General Agent of Sri Ahobala Mutt.

(13) Note of the Under Secretary on the Memorial dated 25.11.44 received from the Adviser of Sri Parakala Mutt.

(14) Subd. for perusal. This will also be sent to the M.C. in Continuation.

Gen. Secy. (15) Yes Actd. S.H.V. 27/11 " K.S. 27/11

(16) Submitted with a draft 29.11.44 (17) 28/11

(18) Issued No. R. 3714, dated the 28th November 1944 [4]

To the Madras Commissioner in Mysore

Forwards a copy of the memorial of the Adviser to Sri Parakala Mutt.

Letter No. 1583/41, dated the 2nd December 1944 [5] Seen 29/11/44

From the Honour Secretary to H.H. forwarding for disposal a memorial from the Gen. Agent of Sri Ahobala Mutt

Orders of the Gen. Secy. on the P.U.S.

"Today. Please send this to Mad. Commr. in Continuation" Actd. K.S. 4/12/44.

The file re this question has been Subd. separately under instructions of the H. Sy.

Draft Subd. 4/12

Inj 3

The H.C. wants
the objection petition
of the parakali
will be sent to
him at once. The
petition is in connection
with the visit of the
Head of ~~the~~ Global
Mall to Neelkot

by
28/11

[6] Letter No H.1-C.326/44-45, dated the 6th December 1944 From the Muzrai Commissioner in Mysore, requesting that the printed list of exhibits produced before the Agratheertha Enquiry Committee and certain records of the temple at Melkote stated to have been sent to the then Muzrai Superintendent on 7.8.1909, and adding that the enquiry in the matter has been fixed to 16th December 1944.

A printed collection containing the list of exhibits produced before the Committee appointed to enquire into the question of Agratheertha honours claimed by Sri Parakala Mutt in the Vishnu temples in the State is put up. This will be sent to the M.C. As regards the temple records stated to have been sent to the Mux. Supt. then, could not be traced so far, and a further search is being made and if they are found, they will be sent in continuation.

Draft Subd.

13/12/44

[7] Issued No R 4083, dated the 13th December 1944

To the Muzrai Commissioner in Mysore, — Forwards the two booklets available on the subjects, and states that the temple records could not be traced and that a further search is being made.

[8] Petition dated the 30th December 1944 from Sri Karya-Kartha & Srinivasarangachar holding general power of Attorney from the Swamy of Sri Parakala Mutt, Mysore Praying for reasons stated that the case re: Agratheertha Honours in Melkote Temple be withdrawn from the Muzrai Commissioner and transferred for enquiry to another officer non-connected with both the Mutts or an independent one in particu

Re: Agraharthathenur Sri Narayanaswamy Temple at Melkote
Claimed by Sri Ahobila Mutt Swamy

3211/R. 3434/R.

-fore final
Committee by orders are passed by Government [9]
in the matter.

R.3434 Fasli Rs. T. 895

Ex S-1 with Rs. 6.

(12) [illegible]

(13) [illegible] the rent and
[illegible] the portion of
[illegible] the Deputy Commissioner,
[illegible] Deputy Commissioner,
[illegible] be requested to
[illegible] evidence I
[illegible] be
[illegible] Commissioner
[illegible] the pro-

30/7/41

Gen Secy

V.P.P.

K.K.P.

Ex'd

Re: Agrathirtha Honours in Sri Narayana Swamy at Melkote

3434/2 / 3577/R.

Continuation Sheet. Mus File No. Current No. 48 of 1944-45 Page. 7.

(14) Submitted with a draft for approval or other orders. WD 0726—GPB—25,000—15-9-44

5-1-45 3/1 (15)

[9] Issued No. R. 4563, dated the 4th January 1945.

To the Muzrai Commissioner in Mysore

Forwards the Memorial received from the Srikarya Karta of Sri Parakala Mutt and enquires whether he has any objection to the enquiry being held ~~either~~ by the D.C of either the Bangalore Dist or the Mandya District

JAN 10 1945 No. 5319

[13] Letter No. M.1-C. 326/44-45, dated the 9th January 1945. From the Muzrai Commissioner in Mysore stating that he has no objection to the prayer of Sri Karyakarta of Sri Parakala Mutt being allowed by Govt. and that the enquiry may be entrusted to the D.C, Mandya District.

(16) Submitted for orders with reference to para 13 supra

10.1.45

(17) The M.C's proposal to ask the D.C. Mandya to hold the enquiry may perhaps be approved

(18) Mysore The DC may be requested to this as early as possible.

13

(19)

16.1.45

WD 0726—GPB—25,000—15-9-44

Re. Agraharthika Honours in Sri Narayanaswamy Temple at Melkote
Claimed by Sri Ahobala Mutt Swamy
C. F. 691

3434/R. 3577/R. 4742/R.

Continuation Sheet. Misc. File No. / Current No. 118 — of 1944-45 Page. 8

(20) Subd with a draft.

(21) Issued

Issued No.R 4898, dated the 17th January 1945

To. The Muzrai Commissioner in Mysore

States that the claims of the Swamy of Sri Ahobala Mutt may be investigated by the D.C. Mandya District, and that the enquiries should be completed and a report submitted early.

Sub A. 17.1.45

Memo No.R-H 898 of even date - To the D.C., Mandy District

Forwards a copy of the above.

Letter No. H-1-C.80/AA-45, dated the 2nd April 1945

From the Deputy Commissioner, Mandya District.

Forwarding for the information of Govt. copies of the interim order passed by him in the case, on 2.4.45, and his letter to the M.C. in the matter.

22) The interim order and the letter addressed to the M.C are for perusal The D.C. has proposed to continue the enquiry by himself as the D.C of Tumkur Distt. with the approval of Govt. The report from the M.C. may perhaps be awaited.

Subd 7/4

23) Reminder 16/4

Gone a reminder DO NOR 6625 Dated 17.4.45

Letter No. M1-C.326/AA-45, dated the 16th April 1945

from the Muzrai Commissioner in Mysore

Forwarding a copy of the letter of the D.C., Mandya

Continuation Sheet. File No. ——— of 1944-45 Page

-Current No.-

MAR 27 19.
7925

(24) The proposal of Mr. Safdar Hussain, to continue the enquiry is for orders.

25/4/45

25/4

5976
25/4

TYPED 27 APR 44 REV.

21 Draft Subd.

25/4/45 (25) 26/4

Issued No A.6905, dated the 3rd May 1945

To the Munsif Commissioner in Mysore

Subd A3 4.5.45 [18]

Calls for the views of the M.C. on the proposal of the D.C. Tumkur dtd: letter No. N.1-C.326/44-45, dated the 15th May 1945

From the Munsif Commissioner in Mysore.

Stating that Mr. Safdar Hussain may be allowed to comple the enquiry.

(29) Subd with refee. to para 26 supra

(30) The M.C. is requested to call for Mr. Safdar Hussain to continue the proceeding as prayed for

Mair 7.5.45

24/5

(31)

24/5

Petition. 7.248.45
from the Sri Maha Hastha of Parakala Mutt Mysore.

(32) Draft subd

24/5/45

(33) File obtained back and resubd. with TR 24/5

Agraharika lands claimed by Sri Kudala Mutt

Continuation Sheet. Mysore — File No. 5216/P/5558/R — of 1944-45 — Page 10

Current No. 118

the petition of the Agent of Sri [illegible] Mutt since received, it is stated that the case is ordered to be heard before Mr. Safdar Hussain, D.C of Tumkur Distt, many of the witnesses to be examined on behalf of Sri Kudala Mutt are elderly and orthodox people who will be put to inconvenience for want of conveyance between Bangalore and Tumkur and of facilities for lodging at the latter place and therefore requests that the case may be heard at Bangalore by the D.C. of the Bangalore Distt.

M/V 6-76 = 8280.

(34) The draft put up is for approval or orders.

20/6/45

(35) We does not seem proper to comply with the request made on behalf of Sri Kudala Mutt.

6685/30/5

29/6

(36)

(37)

10/6

12/6

(38) Two drafts Subt.

14/6/45

15/6

(39)

16/6

Grand No-P 9593, dated the 18th June 1945 [20]

To the Mysore Commissioner in Mysore.

States that Govt agree with him and requests that necessary instructions may issue authorising Mr. M.S. Hussain, D.C, Tumkur to complete early the enquiry he has commenced and submit his findings for the orders of Govt.

Subt

Agratheertha honours in Shri Narayana Swamy Temple at Melkote 5558/R.J.T.140/R

Serial No. 28

Petition dated the 10th June 1946, from K Srinivasa Rangachar, Agent of Shri Parakala Mutt, Mysore, praying that an opportunity may be granted to the Mutt for representing their case before orders of Govt are passed in the matter.

(40) The case has been referred to the D.C., Tumkur District, for completion of the enquiry which he commenced as the D.C. of Mandya District, and his final report is awaited. (Vide M.C's report dated 30-1-46.) The present petition from the Agent of Shri Parakala Mutt is for the grant of a hearing before Govt. pass orders on the findings of the D.C. in regard to the claims put forth by Shri Ahobala Mutt for Agratheertha Honours in Shri Narayana Swamy Temple.

(41) The question as to whether the contending parties should be given a hearing before Govt. takes decision on the case can only be considered after the receipt of the final report from the D.C. following the completion of the enquiry by the D.C. The petition may therefore be filed with the connected papers, until the receipt of the expected report.

Subd. (42) The qn. of hearing the parties 7/8/46. ~~before any order is passed~~ ~~on the report of the D.C. dated~~ ~~30/1/46 by the D.C. Mandya~~ ~~hereby appeals to~~ ~~by does not arise when~~ the case is still being enquired into

by D.C of appo, the petnr will be informed accordingly (Law Secy)

Sec 9/8

Serial No (44)

As: Reference may be made to D.C for expediting the report

Sec 13/8

(Mr Rw).

(45) The D.C. may be asked to send his report without further delay.

Sec 14/8

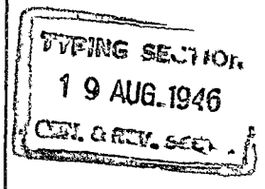
15/8/46.

Sec 16/8

(46) Drafts Subd
Ir. R. 17.8.46

(47) Issue

Sec 17/8



Issued No-R 1969, dated the 21st August 1946 22

To the Mysore Commissioner in Mysore,

Requests that instruction may be issued to the D.C. Tumkur Distt., to complete the enquiry and to send his report without further delay.

Memo No. R. 1970 of even date. To the D.C., Tumkur Distt.

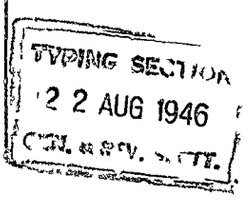
Forwards a copy of the above letter for information and necessary action.

(48) Resubd after issue for approval of the 2nd draft (Endt) refer. paras 3 & 4 supra.

Sec 21/8/46 Ir. 21.8.46

(49) Issue

Sec 21/8



Agrahareeitha Honours claimed by Shri Ahobala Mutt in the Melkote Temples

7/AO/R./4431/R.

General and Revenue Secretariat | File No. 118 - of 1944-45 | [App. F III-2 page 13

Serial No.	
23.	Issued No R 2070, dated the 26th August 1946 To - Shri Srinivasa Rangachar, Shri Kanyakartha of Shri Parakala Mutt Mysore Through his Counsel Informs him that the question of Govt. hearing the parties when the case is still under enquiry before the D.C. does not arise. Memo No. R-2071 of even date To the M.C. Forwards a copy of the above Endt. for information Petition No. GI 172/46-47, dated Nil (received on 19.1.47) from the Mukthami and Adviser of Shri Parakala Mutt, Mysore, stating, inter alia, that final arguments were heard by Mr. Mir Safdar Hussain, the D.C. of Tumkur District, nearly a year ago and praying that the above case may be disposed of early and the documents filed before that officer may be returned after the disposal of the case. (50) Minute of the Minister on the Petition. Law Secy. Has a report been received, if not, call for it. — why is there such delay". Init., G.A. 19/1/47 " S.R. 20/1/47. " K.B. 20/1/47. (51) Submitted with a draft letter to the M.C. 25/1/47 (52) For appl 27.1.47 Law Secy) (53) (54) 27/1 Issue 27/1

28 JAN. 1947
Chief Secy. Secretariat

27 JAN 1947

NOTE—Contn. Sheet.

Agraharetha Honours claimed by Shri Mhobala Mutt in the Temples at Melkote.

4431/R. / 4744/R.

Mutt. c No. 118 of 1944-45 | General and Revenue Secretariat

Serial No. 25

Issued No. R. 6978, dated the 29th January 1947.

To - The Mysore Commissioner in Mysore

Enquired why there is such a long delay on the part of the D C in furnishing his findings and requests that the connected records and his findings in the case may be obtained and forwarded with his remarks.

Sec A 30/1/47

Memo No. R. 6979 of even date - To the D.C., Tumkur Dist.

Forwards a copy of the above letter for information and necessary action.

Letter No. C. 147/45-46, dated the 7th February 1947, 26.

From the Deputy Commissioner, Tumkur District

Stating that he has submitted his report on the enquiry held by him to the M C. and that the delay was due to the fact that the enquiry was a laborious one which had to be carried on in addition to his duties particularly when the seasonal conditions gave room for anxiety.

(55) Order of the Secretary on the P.N.D.

"Note in file - Submit" Sd. SK-8/2
" KB 8/2

(56) Submitted for perusal.

(57) The formal report of the M.C. on the subject will be awaited.

10/2/47 3 Rs. 10.2.47.

Law fees)

(58) 11.2.47

(59)

8K 11/2 12/2

4508 11 FEB. 1947

Scott. 10/2/47

Agraharthwa Honours claimed by Sri Ahobala Mutt in the temple at Melkote

1744 (R

[27] Petition dated the 25th February 1947 from the General Agent of Sri Ahobala Mutt stating that although the enquiry before the D C., Tumkur District and a report in the matter has been sent by him to the M C a copy of the decision of the D C. was not furnished to him (petitioner) and praying that a copy of the D C's report or decision may be granted and that furial orders may be passed by Govt after affording an opportunity to both the parties to represent their case through their respective Counsel and adding that as the present M.C. (Mr S Narayana Rao) has personal no interest in the result of the case the normal procedure of the parties being heard by him before Govt. decide the case may be considered

(60) Submitted for orders

(61) Whether it is necessary to have the dispute enquired before he furnishes a report to Govt.
into by the present M C as suggested by the party is for consideration

27/2/47

(62) On receipt of a petn from the Ahobila Mutt Govt requested the Dist Collector to hold an regular enquiry and submit a report to Govt. Subsequently the D.C. Hindupur was asked to investigate the claim of the Ahobila Mutt and to submit a report & Mr. Sayed Hussain who commenced the enquiry.

was transferred to Tumkur, he was allowed to continue the enquiry. The report now submitted by the D.C. Tumkur to the Hon'ble Minister, is a report which had been called for by Govt and as he was not empowered to pass final orders in the matter, the parties are not entitled to get a copy of his report or decision.

(63) The point whether the parties have to be heard again before Govt, to pass orders may perhaps be decided after the D.C's report and the connected records are received from the Hon'ble Minister.

Law Secy)
28/2/47

(64)

Member of Commn)
8/3 1/3
1.3.47

(65)

6/3/47

8/3 7/3
7/3

8/3/47.

OFFICE OF THE MINISTER FOR REVENUE
No. 160
Date 4/3/1947

Letter No. M1-C 326/44-45, dated the 1st March 1947. [28]

WD 01809—GPB—60,000—26-1-43

From the Mysore Commissioner in Mysore

Forwarding a copy of the letter dated 6.2.47 from the D.C., Tumkur District with his report on the enquiry held by him into the claims of Shri Ahobala Mutt for agrathirtha honours in the temple at Melkote, giving findings in support of the contention of Shri Parakala Mutt that the said honours are, according to the existing practice, shown to the head of this Mutt and, in his absence to his representative, in the temple in question in preference to other Matadhipathies.

(66) Submitted for perusal and orders, with reference to paras. 63-65 of the notes supra.

(67) The box containing the records of enquiry and other exhibits produced during the enquiry and cited by the D.C., have been received in a sealed box, which (has been left intact) is dealt separately.

(68) The H.C has not furnished any views of his own.

8/3/47. 10.3.47.

(69) The Hon'ble Commr's letter and the DC's report received as an enclosure to it are for perusal though the Hon'ble Commr has been empowered to dispose of claims for Agrathirtha & other honors in temples, Govt were pleased to call for a report from the Hon'ble Commr when a petn was presented on behalf of the Ahobila Mutt. It is for orders whether the matter

Separate the Honours Claimed by Shri Shobala Shetty in the Temples at Melkote.

Continuation Sheet. Mad. File No. Current No. 118 5312/R-43 of 1944-45 Page. 18

The Collector may be requested to pass orders in the final instance, & whether the matter may be examined in the Secretariat itself and orders passed, after obtaining the facts & H.A., in view of the urgency & the Shetty brothers.

(Law Secy)

17/3/43

(70) After calling for a report as to one thing more ordered by Govt inquiry, I see no reason why he should be moved. Send the papers back for disposal as the matter is in the Secretariat. Mysore institutions & it is desirable that the matter is examined in the Secretariat & orders passed by Govt.

(Minister & Commns)

18/3

(71) I think it is appropriate that the M.C should deal with the case in the first instance. The disability, if any, which existed when Mr Setlur was M.C, has ceased & there ought to be no objection whatsoever for the present M.C (Mr S. Narayana Rao) disposing of the case. In fact, one of the parties has suggested this course

OFFICE OF THE MINISTER FOR REVENUE
No. 7747
Date 19.3.43.

SECRETARIAT
17 MAR 1943
GOVT OF MYSORE

off action

(72) The records may be passed on to M-C, with a request to dispose of the case on merits, as early as possible, as already much time has elapsed, after due notice to both the parties. The papers may also be returned after the action taken

20/3/47

SK
20/3 RS 20/3

(73) Draft Subd.

20/3/47 21.3.47

(74) For perusal before issue

RS
21.3.47

Law Secy

(75) Typed as desired please

SK
21/3.
RS
21.3.47

(56) Done
SK
24/3
RS
24/3

Issued No. R. 9502, dated the 1st April 1947.

To - The Mysore Commissioner in Mysore.

Returns the records of the enquiry for early disposal of the claims of the parties on merits after due notice to them since the M-C. is empowered to dispose of claims for representation in temple.

RECEIVED
25 MAR 1947

WD 04767—GPB—2500—25-9 46

Agraharam Honours claimed
in the Temples at Nellore

5312/A.

Continuation Sheet Mwz File No. / Current No. 118 ——— of 1944-45 Page. 20

Endorsement No. R. 9505 of even date. To

Sri Srinivasa Raghavachar, Agent of Ahobilamutt and Sri Srinivasa Rangachar, Agent of Sri Parakala Mutt, through their respective Counsel.

States that the records have been sent to the H.C. for disposal.

B. Record.
12/4/47.

Memo No. R. 9505, of even date - To the H.C.

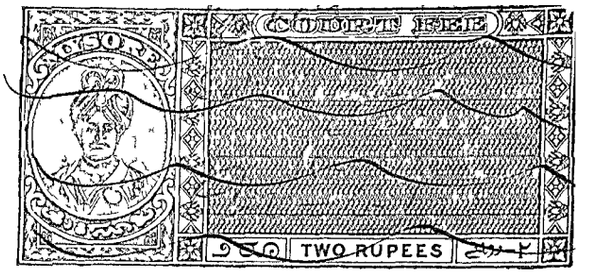
Forwards a copy of the above endorsement for his information

From Srinivasaraghavachari
The General Agent
(under General Power of Attorney)
to His Holiness
SRI ALAGIASINGAR
of
SRI AHOBILA MUTT.
Camp Thulasi Thottam, Bangalore.
No.
Date 194

श्रीः

श्री अहोबिलमठम ॥

श्रीलक्ष्मीनरसिंहस्वामिसन्निधि ।



Ag 114-44-1.

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Petitioner:- S. Sreenivasaraghavachari, General Agent of the Sri Ahobila Mutt, Thulasithottam, Camp-Bangalore.

The petitioner abovenamed states as follows:-

1. The Ahobila Mutt is one of the Premier Mutts of the Visishtadwaitic order with a large and considerable following of Sri Vaishnavas amongst the Hindus all over India including Rajas, Mahants and Savants.

2. The Royal Association with the Sri Ahobila Mutt which began almost at the foundation of the Mutt by the then Vijayanagar Emperor was continued by the later Emperors and by the Caranatic Sovereigns of Mysore.

3. Successively three Matadhipathies were invited between the years 1805-1855 by the late His Highness Krishnaraja Wadiyar III to Mysore. On all the occasions Pada Pujas and Bhiksha were performed by His Highness and in addition to costly and valuable presentations of Jewellery three villages in T. Narasipur Taluk in Mysore District were presented and three Mutts one in Mysore City, another in Seringapatam and the third in Thirunarayanapuram (Melkote) were constructed.

4. His Highness the Maharaja of Mysore late Sri Krishnaraja Wadiyar III evinced special anxiety that the Sri Ahobila Swami should be treated on a par with Sri Parakalaswami. As early as on 20-4-1805 Dewan Purniah directed the Amildar of Melkote that since the Ahobila-swamigalu and Parakalaswamigalu were both going over to attend the Vyramudi procession of Sri Narayanaswami, two Archakas should be directed to take Thirtha Prasadam in two plates and offer them to both the Swamis simultaneously and that as per long standing usages both the Swamis should be honoured equally. (a true copy of the letter is herewith filed).

5. His Highness the Maharaja of Mysore was himself graciously pleased to send a Nirup dated 30-11-1825 a true ~~photo~~ copy of which is filed herewith to the Amil Attikuppe Melkote that if both the Ahobilaswami and Parakalaswami happened to be present at the same time, two Archakas should make the offerings and to show equal honours to both the Swamis and that if Ahobilaswami alone were present the Agra Thirtha and Thirumalai should first be offered to the Ahobilaswami as per practice.

6. The matter was made even clearer and beyond doubt by the Nirup of the same Maharaja dated 19-4-1826 to the said Amil. Attikuppe Melkote, a true copy of which is in the Mutt records. The original, as the ~~petitioner~~ petitioner understands, is available in the Melkote Temple records. The relevent extract runs as follows:-

" [illegible]

7. That the Melkote Temple records will amply bear out that these Nirups were given effect to.

8. That when His Holiness the present Matadhipathi happened to visit Tirunarayanapuram for the worship of the Lord there on 8-10-1944, theusual honours were shown. On the next day when His Holiness wanted to worship the God during Sathumore Ghoshti and partake of the Thirthan and Prasadam, he was informed by the Temple authorities that in view of the Government Order bearing No. 531-46- Muz. 69-09-5 dated 19-8-1915, the Agent Sri Parakalaswami would be given the Agra Thirtha Maryada..

9. Though the original Nirup dated 30-11-1825 was shown which established the claim of Sri Ahobilaswami beyond doubt, the authorities preferred to await orders from the higher quarters setting at reset their doubts.

10. His Holiness had in the circumstances to deny himself the worship at the Sathumore time and cause a representation to be made to the Muzrai Officer, French Rocks. As so far no orders on the representation has yet been received and as His Holiness is desirous on his return journey to visit again the Holy Temple of Tirunarayanapuram and partake the Sathumore worship, this petition is directly made to Government, with a view to solicit early orders.

11. The petitioner submits that the order dated 19-8-1915 referred to above-was passed with reference to the claims of the Sri Parakalaswami Vis-a-Vis Sri Yathirajaswam and a few Acharyapurushas. The Committee who were appointed to examine the claims had to consider only the claims of the parties before them and the contending parties produced their respective evidence and the Committee gave a finding on that evidence which the Government werepleased to accept. As the contending parties did not produce any satisfactory

evidence and as the Nirup of Sri Parakalaswami [illegible] of the year 1811 provided for Agra Thirtha Maryadai to Sri Parakalaswami and in his absence to his Agent, Government were pleased to direct accepting the maj rity Committee's report that the Agra Thirtha Maryadai was to be extended to the Sri Parakalaswami Mutt's Agent negativing the rights of the contending parties. The claims of Sri Ahobila Mutt did not arise. The Mutt authorities were not notified and were not parties to the proceedings The Nirup in support of their claim was not taken into consideration. In the circumstances, it is submitted that the said order cannot have reference to any but the contending parties at the time.

12. The position of Sri Ahobila swami Vis-a-Vis Sri Parakalaswami having been laid down by the particular Nirups referred to above, it is submitted there should be no more doubts entertained regarding the honours to be extended to Sri Ahobilaswami at Melkote. It is only to Sri Parakalaswami and to Sri Ahobilaswami that equal honours are directed to be extended when both happened to be present. It would be ridiculous to follow the order of 1915 and extend Agra Thirtha Honours to the Agent of Sri Parakala Swami even when Sri Parakalaswami is absent and give only the second Thirtha Honours to Sri Ahobilaswami. Such a treatment would not only militate against the Nirup which lays down equal honours to both the Matadhipathies but also is in direct contradiction with the injunction laid down in the second para of the Nirup dated 30-11-1825 and the Nirup dated 19-4-1826.

13. The petitioner requests for early directions in the above matter to the Temple authorities Melkote to extend Agra Thirtha Honours to Sri Ahobilaswami in accordance with the injunctions contained in the Nirups of His Highness Krishnaraja Wadiyar III dated 30-11-1825 and 19-4-1826

respectively.

The original Nirups etc., will be produced whenever required.

General Agent to
Sri Ahobila Mutt Swamigalu.

అర్చకులు, వైదికులు
చాలు, నమస్కారాలు మర్యాదలు
బిస్కే

నిజప్రతిగ్రహీతలకు

శ్రీ వైష్ణవ

అరగుమోహరిది

రాజశ్రీ మేస్త్రీ అమల్దారు సేవింద రాయరిగే
మోన్నేర్యప్పనవరు నమస్కార అదాగి, శ్రీనారాయణ దేవరపేర
ముదేలు కైవత్తి శ్రీ అహోబలస్వామిగళు, పరకాలస్వామిగళు భహా
బరుకొట్టరాగి, యివరు ఇరకెళ్ళబిస్కే మండపగళను మాడిసి, చుణా వు
బళిసి చప్పరగళు హాకిళిసికొడువదు. ఇబ్బరు స్వామిగళు హోంచే
కడ వెబందు ఇరువర్ష రింద, చూరచూరచేళదింద ఆచారపు రు
షరు బరుత్తా ఇదాకెయాగి, దేవరదరుశనక్కె శ్రీలుభయస్వామి
గళు బరువర్ష రింద శీర్థప్రసాదమొతబీకాదల్లి, ఇబ్బరు చాకర
రు యరడు కట్టేలి శీర్థవను ప్రసాదవన్నా కెగదుక్కొండు
ఇబ్బరు స్వామిగళిగు, వంచీకడవే శీర్థప్రసాదవను కొ
డిసువదు, మూవత్తద్మళిమేరిగె స్వామిగళిగే యీమమర్యా
దే మాడకక్కదు, ఇబ్బరిగూ సమవాగి మాడువదు,
ఆ కరువాయ చేళ చేశదింద బరువంథా ఆచారపురు
షరిగె శీర్థప్రసాదవను ఆస్థళద పద్మశిగె ఇద్దమేరిగె
శీర్థప్రసాదవను కొండిళిసికొడువదు, చైత్రశుద్ధ ల్లి
(రుజు తి. ఎందిదే) ట్రూ కాపీ॥

Aksh[illegible]
Chaitra [illegible]
7th Day.

[illegible] ax Nijaparma Sakhasevela
([illegible]Nagari). Sree Narasimha.

Re: [illegible]

To

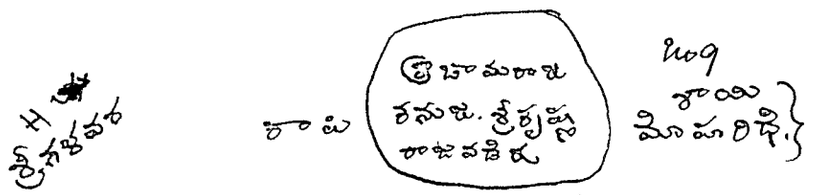
Manjeeri Govinda [illegible],
Amildar, Melkote.

Purniah's salvitations. Since Sree Ahobila Swamigalu and Parakalaswamigalu also come to attend to the Vairamudi Procession of Sree Narayanagiri, please arrange for their stay by constructing Mantapas, and White-washing them and putting Pandals also. Since both the Swamis come at the same time, and also Acharya Purushas come from distant places, and since both the Swamis come for Sri's Darsanam, and in case of offering them Thirtham and Prasadam, two Archakas should take Thirtham and Prasadam in two plates and offer them to/the both Swamis simultaneously. As per long standing custom, both the Swamis should be honoured equally according to the practice. After them, Thirtha and Prasada should be offered to Acharya Purushas coming from various places as per practice of the place.

Chaitra Sudha 6th.

Sd/ Sree.

(True translation)



Regarding Sree Swami.

Ink Seal: Chamaraja Thanuja
(in Nagari) Sree Krishnaraja
Wadiyar.

KRISHNARAJA ADIY NAVANU.
Parthiva Year, Karthika Bahula Panchami
Budhavara.

To

Sreemath Hanume Gowda, Amildar, Thirappo, Melkote.

Nirupe written and sent. Since Sree Ahobilaswami has arrived at Melkote and our Swami is also there, even though it was decided taking the opinion of the Palace Vidwans Ramasesha Sastrigalu, Sreen vasa Joyisaru and others and issued orders that Honours should be shown to both Swamis simultaneously, it has come to our notice that if this was not given effect to when both the Swamis were present at Brindavana Uthsava giving room to some dispute. Hence this order.

If both the Swamis are present at the same, two Archakas should perform the Honours as usual/(as hitherto) simultaneously. If Ahobilaswami alone is present the Agrathirtha and Thirumal should first be offered to the Ahobilaswami as per practice. This may be intimated to the temple Parapatyadar in writing.

Dated, 1885, 30th November .

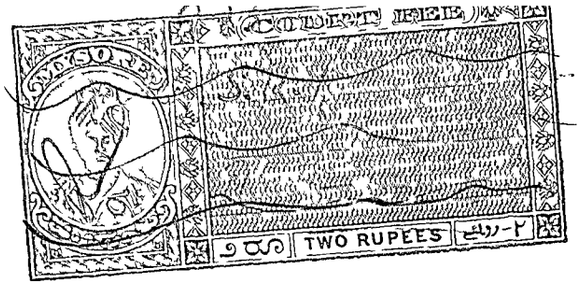
Written by Palace Munisni Huzur Subbaraja.

(In His Highness' own writing)

" The order above may be given effect to ".

Sd/ Sree Krishna.

This has been entered
into Melkote temple
file on 9th Karthika
of Parthiva.



Before the Govt. of
H.H the Maharaja of Mysore

~~ಕೋರ್ಟಿಗೆ~~

19 –19 ನೇ ನಂಬರು.

~~ಹಾಜಿ~~ಯಾ ಅರ್ಜಿದಾರ್ ~~ಪ್ರತಿವಾದಿ~~ಯಾ ಅಪೋನೆಂಟ್

S. Srinivasa Raghavachar

V.S.

ಮೈ ರಾಜಿ- S.K. Venkataranga Iyengar } Advocate
& B. Vasantarangar

ಬರಸಿಕೊಟ್ಟ **ವಕಾಲತ್ ನಾಮ.**

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ವರವಾಗಿ ಆಜ್ಞೈರುವರಿವಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರುಗಿಸುವುದಕ್ಕೂ, ರಾಜಿ ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ, ಡಿಕ್ರಿಯನ್ನೂ, ಜಾರಿ ಕ್ರಮ ನಡೆಸಿ ಹಣ ವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು ಸಹ ಪಡೆಯಲಿಕ್ಕೂ, ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡೆಯಲಿಕ್ಕೂ ಸಹ ತನುಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ಯಾವ ಆಯರಾಗಲಿ ಡಿಟೋ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನಡೆಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನೂ ನಾನೇ ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ.

ತಾರೀಖು 7/11/44 } ರುಜು

S. Srinivasa Raghavachar
11.11.44

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ಥರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದ್ದೇನೆ.

B. Vasantarangar

ಶ್ರೀ ವೆಂಕಟಾದ್ರಿ ಪ್ರೆಸ್, ಚಿಕ್ಕಪೇಟೆ, ಬೆಂಗಳೂರು ಸಿಟಿ.

R2153

CC 31/44-45

THE CHIEF SECRETARY
to the Government of H.H. the Maharaja of Mysore,
Bangalore.

Murrai. 118-44-2.

From
THE MUKHAMI AND ADVISER,
Sri Parakalaswami Mutt,
Mysore.

Sir,

It is learnt that some disciples of Sri Ahobila Swami Mutt have put in an application before the Government praying for Agratirtha honours &c., at Melkote Temple, to Sri Ahobila Swamigalu, in preference to the Gumasta of Sri Parakala Swamigalu when the Swamiji is not present in person; and simultaneously with Sri Parakalaswami when he is himself present. I beg to submit that the said honours was never before enjoyed by the Ahobilaswami Mutt and it is strange that they claim for it now after centuries.

The matter is finally set at rest by the Government in their Order No.531-46 Muz.69-09-5 dated the 19th August 1915, as recommended by the Agratirtha Committee in their comprehensive report, basing their opinion on the well-established practice and other voluminous documents exhibited in the above case. I most humbly beg to submit, that in view of the above order, any such application is not entertainable by the Government at such a distance of time. In any event I pray that such an application, if any, may not be disposed off ex-parte without hearing this Mutt.

I beg to remain, Sir,
Your most obedient servant,
Narasimhacharyavaru

Mukhami & Adviser
SRI PARAKALA SWAMI MUTT
MYSORE

Mysore,
25th Nov.1944.

Send for perusal.
This may also be sent to Rao Bahadur in connection with Melkote Gandhi Jayanti.
27/11

Section Muzrai No. R. 3714

File No 118-44 Encl: one

Serial No 4 Dated the 29th November 1944

To— The Muzrai Commissioner in Mysore, Bangalore

Sir,

Subject:— Agrathirtha honours in Sri Narayana-Swamy Temple at Melkote.

I am directed to forward herewith (in continuation of this office letter No. R. 3682/Muzrai 118 44-3, dated the 27th November 1944,) on the above subject, a copy of the memorial (dated 25th November 1944) received from the Mukhami and Adviser of Sri Parakala Mutt ~~for report on the points urged by the party~~ [illegible] I have, etc.

[illegible]

For Gen Secy to Govt.

App. F. G. 9]

GOVT. OF H. H. THE MAHARAJA OF MYSORE.

GEN. & REV. SECRETARIAT.

R 3685/Mis 118-44-3 (Encls 5) 27-11-44

To

The Hon'ble —

Sir,

I am directed to forward herewith a Memorial

OFFICIAL MEMORANDUM.

No. .....

The accompanying ~~Petition~~ Memorial ~~R~~egistered No. 1960-R/Mis 118-44-1 dated the 13th November 1944 received at the General and Revenue Secretariat from the General Agent of Sri Ahobala Mutt, (camp) Thulasi Thota, Bangalore City requesting that the authorities concerned may be directed to extend Agra Thirtha Honours to Sri Ahobala Swamy in Sri Melkote Temple, in accordance with the nirupas dated 30th November 1825 and 19th April 1826, purporting to have been issued by H. H. Sri Krishnaraja Wodeyar III to the head of the Mutt

and I request you to be good enough to call for a report and furnish a copy of the same in due course. The matter may be treated as urgent and a very early report may be furnished.

Yours

2 Office Copies

D.C. is forwarded, together with its 5 enclosures to the Mysore Commissioner in Mysore. For a detailed report on all the points urged in the memorial.

2. The matter may be treated as urgent.

By Order,

For Gen. Secretary to Govt.

BANGALORE,

....19.. ...

[P. T. O

ಅರ್ಜಿದಾರ್ ..... ತಾಲ್ಲೂಕು

.... ಹೋಬಳಿ

.... ಗ್ರಾಮದಲ್ಲಿರುವ

..... ಗೆ

ಇಂಡಾರ್ಸ್ ಹುಕುಂ.

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ವಿಷಯದಲ್ಲಿ ನೀವು ಗುಜರಾಯಿಸಿಕ್ಕೊಂಡ .....

ಮರ್ಕುಮಿನ ಅರ್ಜಿಯನ್ನು ..... ಬಗ್ಗೆ

.....

..... ರವರ ಬಳಿಗೆ ಕಳುಹಿಸಿದೆ.

ಬೆಂಗಳೂರು

By Order,

Secretary.

(a) Petition d. 11.11.44 -.
(b) Copy of Nirupa. D. Akhaya. Chaitra Shudda Saptami from Poornaya to Govinda Rao Amlr. Melkote
(c) Copy of Nirupa by H H. KRN. III 30. 11.18.28 -.

R3211

No. XX N1-326
Encl. 4-5

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, 6th December, ... 194 4.

Mus 118: 44-6

FROM

RAJASEVAPRASAKTA
M. Seshadri, Esq., M.A.,
The Muzrai Commissioner in Mysore.
BANGALORE.

TO

K. Subba Rao, Esq., B.A.,
Secretary to Government,
General Department,
BANGALORE.

SIR,

Enquiry relating to Agrathirtha honours in Melkote Temple.

With reference to your letter No.R.3682/Muz.118-44-3, dated 27-11-44 I have the honour to state that it is seen from the Melkote Temple records that the marginally*noted records of the temple were sent to the late Muzrai Superintendant in Temple office No.81, dated 27-8-1909, in connection with the Agrathirtha Committee and to request you to kindly cause them to be sent to this office for reference in connection with the above enquiry.

In this connection, it is also requested that a printed copy of the proceedings of the Agratnirtha Committee and also a copy of the printed list or exhibits then produced,

P.T.O.

ಅರ್ಜಿದಾರ್

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ವಿಷಯದಲ್ಲ ನೀವ ಗುಜರ

ಮರ್ಕುಮಿನ ಅರ್ಜಿಯನ್ನು

.....

.....

may be sent immediately as they are required for reference in connection with the enquiry which is fixed to 16-12-1944.

I have the honour to be,
Sir,
Your most obedient servant,

Assistant Commissioner
for MUZRAI COMMISSIONER.
(absent on leave)

HNV.

*

1) ಬಾ ಧಿಗಿವ ನಿಂವಲ್ಲೇರದಂ ಾಶಿತಂಶುದ್ಧಿ ಲ್ಯಮಲ್ಯಂ
ನಗದಿ ಮಿರಡಂ ಲ್ಯಡಅಮಂತೆ ನಿಂಬೆ 1082 ಕಾಬಾಲ್ಯ

2) 18ಟಿಲವೇ ವಪ್ರಿತೆ 14ನೇ ಮಲ್ಯಂ ಲ್ಯಡಅಮತೆ
ಬಾ। ಗುಂಡವ್ವಿ ನವರ ಅಲ್ಲಿಂದ ನಿಂಬೆ 1091.
ಕಂಜರಕೆ ಮೈನೋರು ನಿಂನ್ಹಿನಿನ್ನ ಮುಜರಾಯಿ ನಗವಿರಿಂಬೆಡ್ಡೆ
ನಾಂಧ್ರಬಾರ ಚರ ಲ್ಯ ಡ್ಡಿಲಾಯಿ 17-8-09 ಮೆಗ 8ಗಿ
ನಂ ।। ರಿ ಪ್ಲೆಟ್ಟಿ ನೆಡವೆಕೆರವಾಂವಿವಿಲಲ್ಲೆ. ಲಿದವಿಲಲ್ಲಿ 2—

ಬೆಂಗಳೂರು

Secretary.

(2) Copy of Circular by
30 11-18-25.

SUBJECT Agratheertha honours in Sri Narayanaswamy Temple at Melkote in French-Rocks Taluk.

Section Muzrai
File No. 118-44
Serial No. 7

Diary No. of letter replied to.... 3211/R

General and Revenue Secretariat
(Muzrai Section)
the 13th December 1944.

Date of issue... 13th December 1944

Signed by... Mr. S.K.V.

List of enclosures...

Copied by...

Examined by...

No. R. 4083 — Encls. 2 books

To - The Muzrai Commissioner in Mysore, Bangalore

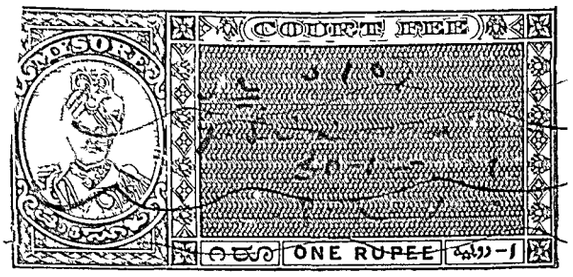
Sir,

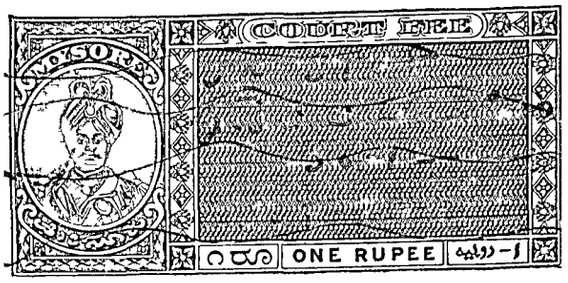
Adverting to the correspondence ending with your letter No. M-1-C. 326/44-45, dated the 6th December 1944, on the above subject, I am directed to forward herewith a printed copy of the report of the special Committee appointed by Govt. for Examining the claims for Agratheertha honours in Sri Vishnu temples in the State, containing lists of documents produced before the said Committee, and to state that the temple records referred to in your letter as having been sent to the Muzrai Superintendent on 17.8.1909 could not be traced so far and that a further search is being made.

I have etc.,
for Gen. Secy. to Govt.

And also a fair copy of the records relating to the claims of the contending Slokas

WD 04161—GPB—60,000—24-10 41





Muz. 118-44-9

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

In the matter of
Muzrai Case No. N1-326/1944-45
on the file of
The Muzrai Commissioner in Mysore,
BANGALORE.

Petitioner:- S. Sreenivasaraghavachari, General Agent of Sree Ahobila Mutt, Tulasithotam, Camp, Bangalore.

-Vs-

Respondent:- Sree Parakalaswamy Mutt, Mysore, represented by Srikaryakartha K. Sreenivasarangachar, holding a General Power-of-attorney from His Holiness the Swamy of the Mutt.

RESPONDENT'S APPLICATION FOR TRANSFER OF THE ABOVE CASE.

The Respondent begs to state as follows:-

On 11th November 1944, the Petitioner-Mutt abovenamed presented an application to the Government claiming to be entitled to Agrathirtha and other honours(Maryades)in the temples at Melkote equally with the Respondent-Mutt and also claiming to the said honours being shown to it in preference to the Agent or Gumasta of Respondent-Mutt during the absence of the Swamy of the Respondent-Mutt on the strength of a letter dated 20th April 1805 alleged to have been sent by Dewan Purnayya and two Nirups dated 30th November 1825 and 19th April 1826 alleged to have been granted by the late His Highness Sri Krishnaraja Wadiyar III.

The Government was pleased to refer the said application to the Muzrai Commissioner for enquiry and report.

The Muzrai Commissioner registered the case as Muz. Case NO. N1-326/1944-45 and --

notified the same to the Respondent.

2. The Respondent filed a Written Statement on 22nd December 1944 contesting the several allegations of fact made in the Petitioner's application and questioning the genuineness and validity of the Nirups and other documents relied on by the Petitioner, and claiming that as the Guru of the family of His Highness the Maharaja of Mysore, the Swamys of the Respondent Mutt have from time immemorial enjoyed exclusively Agrathirtha and other honours(Maryades) as evidenced by several Nirups, Circular Orders etc.,

and

filed a list of principal documents relied on by the Respondent.

On the said date(22-12-1944), the Muzrai Commissioner after hearing the Petitioner's Counsel adjourned the case to 3-1-1945 for the production of the Respondent's documents and for further hearing.

3. The Petitioner has not yet filed any reply to the Respondent's Written Statement. It is possible that after the documents relied on by the Respondent are produced, the Petitioner may raise further contentions with regard to those documents, and to the allegations made in the Respondent's Written Statement.

4. Having regard to the several points involved in the case and the contentions raised or likely to be raised on either side, a proper adjudication of the several questions involved in the case will be possible only after taking necessary evidence as regards the genuiness and validity of the documents relied on by both sides, the existing usage and other relevant matters. Any hasty decision arrived at without a full and proper enquiry would work a great deal of injustice, the effects of which would be very serious to all concerned.

5. The contesting parties to the case are two important and influential Mutts of Sri Vaishnava community, each having a large number of disciples in Mysore State as well as outside.

The issues involved are of vital concern not only to the Heads of the Mutts in question but also to their disciples. The case is thus one of considerable public importance.

It is, therefore, absolutely necessary that there should be a careful and impartial enquiry by an independant and entirely disinterested authority before orders are passed by the Government.

6. The present Muzrai Commissioner Mr. M. Seshadri is a devout disciple of the -- Petitioner-Mutt. It is learnt that soon after the arrival of the Petitioner Swamy at Bangalore, he invited the Swamy to his residence for Pada Puja and Bhiksha and that he is otherwise also generally interested in the Petitioner-Mutt. There are, therefore, reasonable grounds to apprehend that any inquiry which he may hold and any conclusions which he may arrive at and report would be biassed and result in serious injustice to the Respondent. Furthermore, it would be rather embarrasing for those acting for the Respondent to present the Respondent's case fully before Mr.M. Seshadri.

7. The Respondent submits that both in public ~~xxxxxxxx~~ interest and in the interests of justice, and fair play, it is necessary and expedient that a thorough enquiry into the contentions raised by the parties in this case should be held either by an Officer of the Government in no way connected with the rival Mutts, or by an indipendant Committee like the one appointed by the Government in 1903, report of which led to the Government Order No. 531-46/Muz.69-09-4 dated 19-8-1915.

8. It is therefore prayed that the case be withdrawn by the Government from the file of the present Muzrai Commissioner and an enquiry by an Officer unconnected with either of the Mutts or by an indipendant and impartial Committee be ordered to be held before final

final orders are passed by the Government.

Bangalore City,
30th Decr.1944

SREEKARYAKARTHA, holding a General Power of Attorney from His Holiness the Swamy of Sree Paralala-Mutt. (Respondent).

[illegible]
K. Ramiah
Advocate for
Respondent
30/12/44

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

In the matter of
Muzrai Case No.M1-326/1944-45
on the file of
The Muzrai Commissioner in Mysore,
BANGALORE.

Petitioner:- S. Sreenivasaraghavachari, General Agent of the Sree Ahobila Mutt, Tulasithotam, Camp, Bangalore.

- Vs -

Respondent:- Sree Parakalaswamy Mutt, Mysore, represented by Srikaryakartha K. Sreenivasarangachar, holding a General Power-of-attorney from His Holiness the Swamy of the Mutt.

AFFIDAVIT.

I, the Srikaryakartha Sreenivasarangachar, holding a General Power of Attorney from His Holiness the Swamy of Sree Parakala Mutt do on solemn affirmation state as follows:-

1. I am the Srikaryakartha holding a General Power of Attorney from His Holiness the Swamy of Sree Parakala Mutt, Mysore and am fully acquainted with the facts set forth hereunder:-

2. On 11th November 1944, the Petitioner Mutt abovenamed presented an application to the -- Government claiming to be entitled to Agrathirtha and other honours(Maryades) in the temples at Melkote equally with the Respondent Mutt, and in precedence of the Agent or Gumasta of Respondent Mutt during the absence of the Swamy of the -- Respondent Mutt on the strength of a Paravane dated 20th April 1805 alleged to have been sent by Dewan Purnayya and two Nirups dated 30th -- November 1825 and 19th April 1826 alleged to have been granted by the late His Highness Sri -- Krishnaraja Wadiyar III.

The Government was pleased to refer the said application to the Muzrai Commissioner for enquiry and report.

P.T.O.

The Muzrai Commissioner registered the case as Muz.Case No. M1-326/1944-45 and notified the Respondent.

3. The case was posted to 16-12-1944 for filing the Respondent's Written Statement. On that date, the Respondent's counsel -- prayed for an adjournment on the ground that the mukhami of the Respondent Mutt and Mutt's Legal Advisor were both away in -- Northern India on some important business of the Mutt, and the Muzrai Commissioner adjourned the case to 22-12-1944 for filing the Respondent's Written Statement. On the latter date, a Written Statement was filed on behalf of the Respondent contesting the several allegations of fact made in the petitioner's application and questioning the genuineness and validity of the Nirups and other documents relied on by the --- petitioner, and claiming that as the Gurus of of the family of His Highness the -- Maharaja of Mysore, the Swamys of the -- Respondent Mutt have from time immemorial enjoyed exclusively Agrathirtha and other honours(Maryades) as evidenced by several Nirups, Circular Orders etc.,

and

filed a list of the principal documents relied on by the Respondent. According to my belief nothing more had to be done on that day and I did not even personally attend the Court. But, I learn that the Muzrai Commissioner then wanted to proceed further with the case and heard the counsel for the petitioner. Thereafter he adjourned the case to 3-1-1945 for the production of documents relied on by the Respondent and for further hearing.

In the evening of 22-12-1944, the -- Respondent's Advocate Mr. G. Srinivasa Rao found in his office a communication from the Revenue Commissioner's Court informing him that the case had been posted to that date for evidence also. This communication though dated 19-12-1944 appears to have been posted only on 21-12-1944 as the delivery seal of the Post office on the envelope shows that it was at 11 A. M. on 22-12-1944 that the letter was issued for delivery.

4. The Petitioner has not yet filed any reply to the Respondent's Written Statement. It is possible that after the documents relied on by the Respondent are produced, the Petitioner may raise further contentions with regard to those documents, and to the allegations made in the Respondent's Written Statement.

5. Having regard to the several points involved in the case and the contentions raised or likely to be raised on either side, a proper adjudication of the several questions involved in the case will be possible only after taking necessary evidence as regards the genuineness and validity of the documents relied on by both sides, the existing usage and other relevant matters. Any hasty decision arrived at without a full and proper enquiry would work a great deal of injustice, the effects of which would be very serious to all concerned.

6. The contesting parties to the case are two important and influential Mutts of Sri Vaishnava community, each having a large number of desciples in Mysore State as well as outside. The issues involved are of vital concern not only to the Heads of the Mutts in question, but also to their disciples. The case is thus one of considerable public -- importance.

It is, therefore, absolutely necessary that there should be a careful and impartial enquiry by an independant and entirely disinterested authority before orders are passed by the Government.

7. The present Muzrai Commissioner/ Mr. M. Seshadri is a devout disciple of the -- Petitioner Mutt. It is learnt that soon after the arrival of the Swamy of the Petitioner-Mutt at Bangalore recently, he invited the Swamy to his residence for Pada Puja and -- Bhiksha and that he is otherwise also generally interested in the Petitioner Mutt.

"He is showing anxiety to rush through the case in order to suit the convenience of the Swamy of the Petitioner Mutt, without having due regard to the seriousness of the situation which necessitates a somewhat elaborate and careful enquiry".

There are, therefore, reasonable grounds to apprehend that any inquiry which he may hold and any conclusions which he may arrive at and the report which he may make on the basis of those conclusions would be biassed and result in serious injustice to the Respondent. Furthermore, it would be rather embarassing for those acting

for the Respondent to present the Respondent's case fully before Mr. M Seshadri.

8. I submit that both in public interest and in the interests of justice and fair play, it is necessary and expedient that a thorough enquiry into the contentions raised by the -- parties in this case should be held either by an Officer of the Government in no way connected with the rival Mutts, or by an indipendant and impartial committee like the one appointed by the Government in 1903, the report of which led to the Government Order No. 531-46/Muz.69-09-4 dated 19-8-1915.

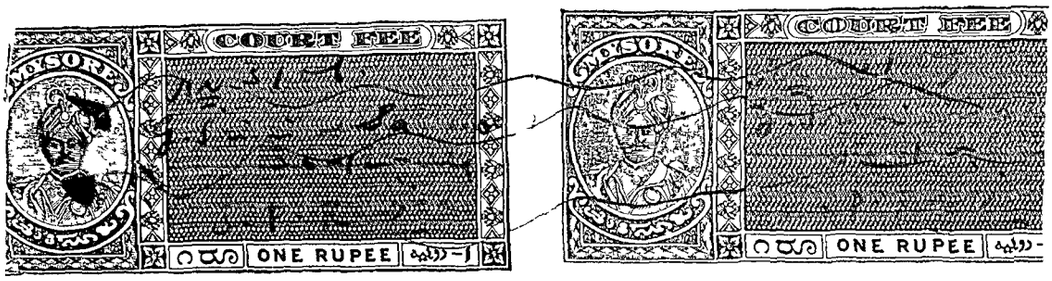
I, therefore, pray that the case be withdrawn by the Government from the file of the present Muzrai Commissioner and an enquiry by an Officer unconnected with either of the Mutts or by an independant and impartial Committee be ordered to be held before final orders are passed by the Government.

9. On behalf of the Respondent Mutt and under express commands of His Holiness Sree Parakalaswamy, I have filed the Transfer Petition to which this affidavit is attached.

Sreekaryakartha holding a
General Power of Attorney from
His Holiness the Swamy of
Sree Parakala Mutt.
(Respondent)

Bangalore City,
30th Decr. 1944

SWORN TO BEFORE ME.



BEFORE THE GOVERNMENT OF HIS HIGHNESS THE
MAHARAJA OF MYSORE.

~~IN THE COURT OF~~

Muzrai Case
~~O.S.~~ No. M1 - 326 of 194 -4 .
on the file of the Muzrai Commissioner -
in Mysore, Bangalore.

~~Plaintiff~~ Petitioner ~~Appellant~~ Sree Ahobila Mutt, by Agent S. Sreenivasaraghavachari. *Vs.* ~~Defendant~~ Opponent Respondent Sree Parakalaswamy - Mutt, By Sreekarya-kartha K. Sreenivasa-rangachar.

Mr. G. Srinivasa Rao, B.A.,LL.B

I/We the Respondent. do hereby appoint Mr. M. P. Somasekhara Rau, B.A., LL.B., my/our Advocate and authorise him to appear and act for me/us in the aforesaid case, to present pleadings, applications or petitions therein to the Court on my/our behalf, to receive documents and any money from the Court or from the opposite party either in execution proceedings or otherwise and to grant receipts and discharges for the same, to enter into compromise on my/our behalf and to do all other acts and things as effectually as I/we could do if personally present. And whatsoever the said Advocate shall do in connection with the said case, I/we do hereby agree to ratify and confirm.

BANGALORE CITY
Date. 30th Decr. 194 4.

Sreekaryakartha holding a General Power of Attorney from H. H. the Swamy of Sree Parakala Mutt, Mysore.

I hereby certify that the above signatures were affixed before me by the signatory/ies whom I personally know.

M P Somasekhara Rau

Accepted.

M P Somasekhara Rau

G. Srinivasa Rao
Advocates for
Respondent
30/12/44

NOR 4563 / Muzi. 118-44-10. 84.1.45

~~Muzi. 118.44-9~~

General Department.

The Muzrai Commissioner in Mysore,
Bangalore.

In continuation of this office letter No.R.4431/ Muzrai 118-44-5 dated the 20th December 1944, I am directed to forward herewith a petition dated the 30th December 1944 received from Srikaryakartha K.Sreenivasarangachari holding a General Power of Attorney from His Holiness the Swamy of the Sri Parakalaswamy Mutt praying that, for reasons urged, a thorough enquiry be held by some officer unconnected with either of the Mutts and to enquire whether you have any objection to the procedure. In this connection, I am to state that it has been suggested that the Deputy Commissioner, Mandya or the Deputy Commissioner, Bangalore District may be requested to take the evidence and hold the

SUBJ

the enquiry. An early reply is requested.

I have the honour to be,
Sir,
Your most obedient servant,

For Secretary to Government,
General Department.

F. G.—1]

Section Survey

File No. 118-44.

Serial No. 8/10

letter replied to.....

No. R 4563
Encl petn.

and Revenue Secretariat

( )

the *194* .

To

The Surveyor Jaffna

Sir,

le 4-1-45

In continuation of this Office letter No R. 4431/Survey 118-44. 5 dated 29.12.1944. I am directed to forward herewith a petition dated 30.12.1944 received from Sri Neerya-Kantha K. Sreenivasa Sarangapani holding a General Power-of-attorney from His Holiness the Swamy of the Sri Parakala Mutt praying that to ~~pay the~~ [illegible]

ures.....

.....

.....

WD C4161—GPB—60,000—24-10-41

a Krama[illegible] enquiry [illegible] [illegible] officer
[illegible] [illegible] [illegible] [illegible] [illegible] and to
~~Mandya or the Dy. Comm.~~ [illegible] [illegible] [illegible]
~~Bangalore may be requested~~ [illegible] [illegible]
to take the necessary evidence
in connection with the question
of restoration of the Sri
Ranga Temple to the Hindus of a first
class Temple in the Salem and
to Salem Court if there is no
objection to the procedure
the request may be complied
with

[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]

3577/R.

No.
Encl. N1-326

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, ...9th. January..... ... .194 5.

Received 11-1-45

FROM RAJASEVAPRASAKTHA
M. Seshadri, Esq., M.A.,
The Muzrai Commissioner in Mysore.
Bangalore.

To

P. Suryanarayana Setty, Esq., B.A., LL.B.,
Secretary to Government,
General Department,
Bangalore.

SIR,

Agra Thirtha Honours in Sri Narayanaswamy and other temples--Melkote--Claim by Sri Ahobila-Swamy Mutt.

With reference to your letter No.R.4563/Muz.118-44-8 dated 4-1-1945, forwarding for my opinion petition received from Mr.K.Srinivasarangachari, Sri Karyakartha of the Sri Parakalaswamy Mutt, praying that the above case may be enquired by some other officer unconnected with either of the mutts, I have the honour to state that I have no objection to the prayer being allowed by Government.

2. The enquiry may be entrusted to the Deputy Commissioner, Mandya.

3. The enclosures received with your letter are retransmitted herewith.

Section

File No.

Serial No.

No. R.

Encls.

Dated the January 1945.

I have the honour to be,

Sir,

Your most obedient Servant,

9.1.45

(Senior Assistant Commissioner)
For MUZRAI COMMISSIONER,

To - The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

Subject:- Agra Thirtha honours in Sri Narayanaswamy Temple at Melkote claimed by the Swamy of Sri Ahobala Mutt.

Adverting to the correspondence ending with your letter No. M.1-C.326/44-45, dated the 9th January 1945, on the above subject, I am directed to state that Govt. approve of your proposal to entrust the enquiry relating to the claims of the head of the above named Mutt to the D.C., Mandya Distt. and that he may be requested to complete the enquiry (as early as possible) and submit his report thereon.

I have, etc.,

for Gen. Secy to Govt.

G. R. S. App. F. G 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

Section: Madras

File No. 118-44.

Immediate. Serial No. 14

No. R. 4898, Dated the 17th January 1945

To The Re

Re:

Work report is
enclosing herewith
your letter No. N.- C
326/44-45 Dt. 8.1.1945
on the above subject
I am directed to state
that the claim of
Kr[Sri]. Swamigalu of
Sri Ahobila Mutt for
Agraharika Inam
in the Melkote
Temple may be
investigated by the
Dy. Mandigam. He and
Kr[Sri]. that the
latter may be

Memo No R. 4899. Dated the 17th January 1945

Office of the Deputy Commissioner,
Mandya District,
Dated, Mandya, the 2nd April. 45.

No.Hl.80/44-45.
Encls. ~~Two.~~ ~~Three~~ Five

R4742

GEN. & REV. D.
6 APR 1945
REVL. U.

From

Mwz-118-AA-15

Mir Safdar Hussain, Esq., B.A.,
Deputy Commissioner,
Mandya District,
MANDYA.

5/4

To

Mahomed Ismail Sheriff, Esq., B.A.,
Secretary to the Government
of His Highness the Maharaja
of Mysore,
BANGALORE.

Sir,

With reference to your memo No.R.4899 dated 17th January 1945, addressed to the Muzrai Commissioner in Mysore, - Bangalore, regarding the 'Agrathirtha' honours in Sri Narayana-swami Temple, Melkote, claimed by Sri Ahobalaswamy Mutt, I have the honour to forward copies of my interim order, and my letter addressed to the Muzrai Commissioner in Mysore, dated 2-4-1945 for the information of Government.

I have the honour to be,
Sir,
Your most obedient servant,

Mir Safdar Hussain
Deputy Commissioner,
of Mandya District.
2/4/45

IN THE COURT OF THE DEPUTY COMMISSIONER, MANDYA DISTRICT.

Case No. M1-80/44-45.

Present:- Mir Safdar Hussain, Esq., B.A.,
Deputy Commissioner,
Mandya District,
MANDYA.

Appellant.
The General Agent,
Sri Ahobala Mutt
Tulasi Thotum,
(Camp) BANGALORE.

Vs.

Respondent.
The Mukhami & Adviser,
Sri Parakalaswamy Mutt,
MYSORE.

Subject:- Agrathirtha honours in Sri Narayanaswami and other Temples at Melkote, claimed by Sri Ahobala Swamy.

ORDER.

Government of Mysore in their letter No.4898/Muz.118-44-14 dated 17th January 1945 addressed to the Muzrai Commissioner in Mysore ordered that the claim of the Sri Swamigalu of Sri Ahobala Mutt for - Agrathirtha honours in Melkote temple may be investigated by the Deputy Commissioner, Mandya District, which was communicated to me by the Muzrai Commissioner in his D.O.M1/326/44-45 dated 18th January 1945. In pursuance of the above said orders, the enquiry began in the - Court of the Deputy Commissioner, Mandya District on 22-1-1945 and - arguments on behalf of the petitioner Sri Ahobalaswamijee and the - counter-petitioner Sri Parkalaswamijee were heard by me on 8-3-1945. Mr.S.K.Venkatarangam, Advocate argued the case of Sri Ahobalaswamijee and Mr.M.P.Somashekara Rao argued on behalf of Sri Parkalswamijee, and written statements were filed by them on 17-3-1945 and 19-3-1945.

After due consideration of the learned arguments advanced by the Counsels, and a perusal of the written statements and the - exhibits - namely the Niroops and other written documents filed, I am of opinion that the main questions that require considerations are - the following:-

P.T.O.

(1) Whether Sri Ahobalswamijee has been granted equal - rights in respect of Agrathirtha honours in the Melkote temple vis-a-vis Sri Parkalswamiji.

(2) Whether Sri Ahobalaswamy is entitled to Agrathirtha honours in priority over the Gumastha of Sri Parkalswamy.

(3) Whether Sri Ahobalaswamy has lost the right of 'Agrathirtha' by abandonment or acquisance.

(4) Whether the finding of the Agrathirtha Committee presided over by Rajakaryapraveena A.Rangaswamy Iyengar, and the Government order passed thereon sets at rest the present dispute and is binding on Sri Ahobalaswamijee as well.

In support of his contention regarding questions 1 and 2 supra, the petitioner and the respondent has produced documentary - evidence. The petitioner in particular relies on 'Nirups' granted by His Late Highness Sir Sri Krishnaraja Wadiyar III dated 26/30-11-182 (Exhibit F.), 19-4-1826(Ex. C.), 19-10-1829 (Ex. K.) and the memos issued by Dewan Purniah dated 1804(Ex. J.) and 20-4-1805(Ex.H.) from amongst some other documents exhibited by him. The respondent both in his written statement as well as the arguments adduced on his behalf by his Counsel(Mr.Somshekara Rao) disputes the genuinness of - the said documents. Hence I think it is fair to observe, that before reliance can be placed on them, it is necessary that the petitioner should prove that the documents on which he relies are genuine by giving him an opportunity for that purpose and at the same time affording an opportunity to the respondent to test by cross-examination,the genuineness or otherwise of the said documents.

Further regarding the 3rd question for decision regarding the visits if any of Sri Ahobalaswamy to Melkote, and the honours - that were shown to him on such occasions, does require evidence to be recorded.

The respondent in his turn desires to exhibit the 'Nirnaya-patrika' signed by the temple servants dated 20-11-1825 and before - that document can be admitted or rejected, I think it has got be be formally proved, and an opportunity given to the respondent to do so, and at the same time the petitioner can test its truth and its effect by cross-examination.

For the above said reasons, I am of opinion that before - final orders are passed determining the rights of the petitioner to ' Agrathirtha priority ', it is essential that an opportunity is given to both sides to lead in evidence in support of their respective - claims. As such the parties are called upon to file a list of their witnesses before 30th April 1945.

Sd/- Mir Safdar Hussain,

Deputy Commissioner,
Mandya District.

"C O P Y"

Mir Safdar Hussain
Deputy Commissioner,
Mandya District.

IN THE COURT OF THE DEPUTY COMMISSIONER, MANDYA DISTRICT.

Case No. M1-80/44-45.

Present:- Mir Safdar Hussain, Esq., B.A.,
Deputy Commissioner,
Mandya District,
M A N D Y A.

Appellant.
The General Agent,
Sri Ahobala Mutt
Tulasi Thotam,
(Camp) BANGALORE.

Vs.

Respondent.
The Mukhtmi & Adviser,
Sri Parakalaswamy Mutt,
MYSORE.

Subject:- Agrathirtha honours in Sri Narayanaswami and other Temples at Melkote, claimed by Sri Ahobala Swamy.

O R D E R.

Government of Mysore in their letter No.4893/Muz.118-44-14 dated 17th January 1945 addressed to the Muzrai Commissioner in Mysore ordered that the claim of the Sri Swamigalu of Sri Ahobala Mutt for - Agrathirtha honours in Melkote temple may be investigated by the Deputy Commissioner, Mandya District, which was communicated to me by the Muzrai Commissioner in his D.O.M1/326/44-45 dated 18th January 1945. In spursuance of the above said orders, the enquiry began in the - Court of the Deputy Commissioner, Mandya District on 22-1-1945 and - arguments on behalf of the petitioner Sri Ahobalaswamijee and the - counter-petitioner Sri Parkalaswamijee were heard by me on 8-3-1945. Mr.S.K.Venkatarangam, Advocate argued the case of Sri Ahobalaswamijee and Mr.M.P.Somashekara Rao argued on behalf of Sri Parkalaswamijee, and written statements were filed by them on 17-3-1945 and 19-3-1945.

After due consideration of the learned arguments advanced by the Counsels, and a perusal of the written statements and the - exhibits - namely the Miroops and other written documents filed, I am of opinion that the main questions that require considerations are - the following:-

(1) Whether Sri Ahobalaswamijee has been granted equal - rights in respect of Agrathirtha honours in the Melkote temple vis-a-vis Sri Parkalaswamiji.

(2) Whether Sri Ahobalaswamy is entitled to Agrathirtha honours in priority over the Gumastha of Sri Parkalaswamy.

(3) Whether Sri Ahobalaswamy has lost the right of 'Agrathirtha' by abandonment or acquisance.

(4) Whether the finding of the Agrathirtha Committee presided over by Rajakaryapraveena A.Rangaswamy Iyengar, and the Government order passed thereon sets at rest the present dispute and is binding on Sri Ahobalaswamijee as well.

In support of his contention regarding questions 1 and 2 supra, the petitioner and the respondent has produced documentary - evidence. The petitioner in particular relies on 'Nirups' granted by His Late Highness Sir Sri Krishnaraja Wadiyar III dated 26/[illegible]-1[illegible] (Exhibit F.), 19-4-1826(Ex. C.), 19-10-1829 (Ex. A.) and the memos issued by Dewan Purniah dated 1804(Ex. J.) and 20-4-1805(Ex.H.) from amongst some other documents exhibited by him. The respondent both in his written statement as well as the arguments adduced on his behalf by his Counsel(Mr.Somshekara Rao) disputes the genuineness of - the said documents. Hence I think it is fair to observe, that before reliance can be placed on them, it is necessary that the petitioner should prove that the documents on which he relies are genuine by giving him an opportunity for that purpose and at the same time affording an opportunity to the respondent to test by cross-examination, the genuineness or otherwise of the said documents.

Further regarding the 3rd question for decision regarding the visits if any of Sri Ahobalaswamy to Melkote, and the honours - that were shown to him on such occasions, does require evidence to be recorded.

The respondent in his turn desires to exhibit the 'Nirnaya-patrika' signed by the temple servants dated 20-11-1825 and before - that document can be admitted or rejected, I think it has got to be formally proved, and an opportunity given to the respondent to do so, and at the same time the petitioner can test its truth and its effect by cross-examination.

For the above said reasons, I am of opinion that before - final orders are passed determining the rights of the petitioner to 'Agrathirtha priority', it is essential that an opportunity is given to both sides to lead in evidence in support of their respective - claims. As such the parties are called upon to file a list of their witnesses before 30th April 1945.

Sd/- Mir Safdar Hussain,
Deputy Commissioner,
Nandya District.

"C O P Y"

Deputy Commissioner,
Nandya District.

No. III.80/44-45.
Encl. One.

Office of the Deputy Commissioner,
Mandya District,
Dated, Mandya, the 2nd April. 45.

From

Mir Safdar Hussain, Esq., B.A.,
Deputy Commissioner,
Mandya District,
MANDYA.

To

Rajasevaprasakta
M. Seshadri, Esq., M.A.,
Revenue Commissioner
in Mysore,
BANGALORE.

Sir,

Subject:- Agrathirtha honours in Sri Narayanaswami and other temples, Melkote, - claimed by Sri Ahobalaswamy Mutt.

I have the honour to state that the enquiry in the above case began before me on 22-1-1945 and arguments were heard by me - on 8-3-1945 and the Counsels on behalf of both the parties filed - their written statements on 17-3-45 and 19-3-45. After due consideration of all the facts placed before me, I am of opinion that it is necessary to give the parties an opportunity to lead in evidence in support of their claims, more so because the genuinness of certain documents relied on by the petitioner is disputed by the respondent, and I have herewith sent a copy of my order dated 2-4-1945 for your reference.

Final orders on the merits of the contentions put forward by either party cannot therefore, in my opinion, be passed until - the evidence is so recorded and the parties have been called upon to file a list of their witnesses before 30-4-1945. It was not - possible during the short time at my disposal, to call upon the - parties to lead in evidence and give a decision on the merits of the case, as I am under orders of transfer to Tumkur District and I am handing over charge of my Office this day to my successor - (Mr. Safi Darashah).

P.T.O.

In the circumstances I suggest for your consideration that if you agree, if the parties have no objection, and the - Government approve of the same, the case may be transferred to the file of the Deputy Commissioner, Tumkur District when I will be able to complete the enquiry and submit my final report.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/-Mir Safdar Hussain.
Deputy Commissioner,
Mandya District.

"C O P Y"

Mir Safdar Hussain
Deputy Commissioner,
Mandya District.

R 4498

No. H. Hl.326, 44-45
Encl. 4

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, 16th April 1945.

Mwz - 118 - 44 - 16

FROM

Rajasevaprasakta
M. Shahabad, Esq., M.A.,
The Muzrai Commissioner in Mysore.

To

Mahomed Ismail Sheriff, Esq., B.A.,
General Secretary to the Government
of Mysore, Bangalore.

SIR,

Agrathirtha honours in Sri Narayanaswamy and other Temples, Melkote - claims by Sri Ahobila Swamy Mutt.

With reference to your letter No.R.4898/Muz.118-44-14 dated 17th January 1945, directing that the claim of Sri Swamigalu of Sri Ahobila Mutt, for Agrathirtha Honours in the Melkote Temple may be investigated by the Deputy Commissioner, Mandya District, I have the honor to forward herewith a copy of letter No.Hl.30/44-45 dated 2nd April 1945 from the Deputy Commissioner, Mandya District, and to request the favour of instructions of Government in the matter of completion of the enquiry by Mr. Sardar Hussain, now Deputy Commissioner, Tumkur District, as suggested by him.

I have the honor to be,
Sir,
Your most obedient servant,

Senior Assistant Commissioner
For Muzrai Commissioner.
(Absent from station)

Secretariat Murrai No 44, 6905 ---

C/o No 118-AA Encl. —

Serial No 17. Dated the 3rd ~~April~~ May 1945.

To - The Murrai Commissioner in Mysore, Bangalore

Subject: - Agraharthara honours claimed by the Indala Mutt

Sir, With reference ~~Adverting~~ to the correspondence ending with your letter No R 1-C 326/44-45, dated the 16th April 1945, on the above subject, I am directed to request ~~that your opinion~~ on the proposal of the present ~~D.C.~~ Kanthur ~~District, to continue and complete the enquiry commenced by him, may be furnished early~~ for the consideration of Govt

I have, etc.

for Gen Secy to Govt.

Letter No. Hl.80/44-45 dated the 2nd April 1945 from the Deputy Commissioner, Manuya District, to the Muzrai Commissioner in Mysore

---

Subject:- Agrathirtha honours in Sri Narayanaswami and other temple Melkote, - claimed by Sri Ahobalaswamy Mutt.

I have the honor to state that the enquiry in the above case began before me on 22-1-1945 and arguments were heard by me on 8-3-1945 and the Counsel on behalf of both the parties filed their written statements on 17-3-45 and 19-3-45. After due consideration of all the facts placed before me, I am of opinion that it is necessary to give the parties an opportunity to lead evidence in support of their claims, more so because the genuineness of certain documents relied on by the petitioner is disputed by the respondent, and I have herewith sent a copy of my order dated 2-4-1945 for your reference.

Final orders on the merits of the contentions put forward by either party cannot therefore, in my opinion, be passed until the evidence is so recorded and the parties have been called upon to file a list of their witnesses before 30-4-1945. It was not possible during the short time at my disposal to call upon the parties to lead in evidence and give a decision on the merits of the case, as I am under orders of transfer to Tumkur District and I am handing over charge of my Office this day to my successor (Mr. Sahukara Narasnah).

In the circumstances I suggest for your consideration that if you agree and if the parties have no objection, and the Government approve of the same, the case may be transferred to the file of the Deputy Commissioner, Tumkur District when I will be able to complete the enquiry and submit my final report.

"Copy"

For Muzrai Commissioner 17/4

Muz. 118-44-18.

Nl.326/44-45

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, 15th May 1945 *193*

Rajasevaprasakta
M. Seshadri, Esq., M.A.,
~~S. ABDUL WAJID, Esq., B.A.,~~
~~XXXX

Section Mukt.
File No 118-44
Serial No. 20

No. R. 9547 3
Encl. R. — ~~1~~ —
Dated the 18 May 1945

To- The Muzrai Commissioner in Mysore, Bangalore.

Sir,

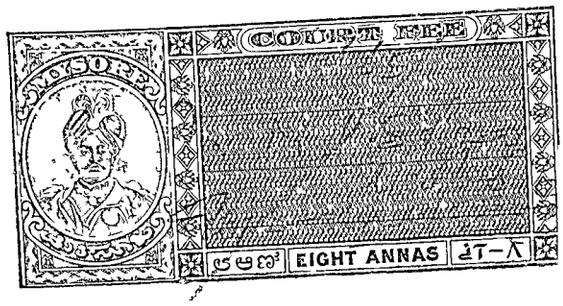
Subject:— Agrathcertha honours claimed by Sri Ahobila Mutt

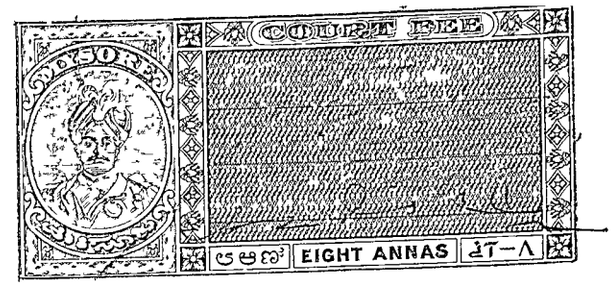
With reference to the correspondence ending with your letter No. M 1—C 326/44-45, dated the 15th May 1945, on the above subject, I am directed to state that Govt. agree with you and to request that necessary instructions may issue authorising Mr Safdar Hussain, at present the D.C. of Tumkur District, to complete early the enquiry he has commenced and submit his findings for the orders of Govt.

I have, etc.,

For Gen. Secy. to Govt

To The Gen Secy to Govt.





R 5-5-48.

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Muzrai 118-44-19.

In the matter of

The Muzrai Case No. H1-80 of 1944-45.

On the File of the Deputy Commissioner, Mandya District.

Petitioner: Sri Parakalaswamy Mutt, Mysore, represented by Sri Karyakartha K. Srinivasarangachar, holding a General Power of Attorney from His Holiness the Swamy of the said Mutt.

- Vs -

Respondent:- Sri Ahobilaswamy Mutt, represented by S. Srinivasaraghavachari, General Agent of the said Mutt.

APPLICATION FOR TRANSFER OF THE ABOVE CASE.

1. The Swamy of the Respondent-Mutt having made an Application to the Government claiming Agrathirtha Honours at Sathumore time in the Temples at Melkote on an equal footing with the Swamy of the Petitioner-Mutt when the Swamys or both the Mutts are present, and a precedence over the Gumasta of the Swamy of the Petitioner-Mutt when only the Swamy of the Respondent-Mutt is present, the Government were pleased to refer the said Application to the Muzrai Commissioner for Enquiry and Report.

2. Subsequently, at the instance of the Petitioner, the Government were pleased to order withdrawal of the Application from the file of the Muzrai Commissioner and directed the Deputy Commissioner of Mandya District to hold an Enquiry and make a Report thereon. The Case was registered as Muzrai Case No. H1-80 of 1944-45 in the Court of the Deputy Commissioner of Mandya District.

3. Both parties have filed their Statements setting forth their respective cases and have -- produced most of the documents relied on by them and have submitted Preliminary Arguments in -- writing so far as the documentary evidence -- adduced hitherto is concerned. Further, the Petitioner filed an Application praying that Summonses might be ordered to be issued to Witnesses to be examined on his behalf and to summon certain documents also. The Deputy Commissioner, after hearing the Counsel on both sides, passed an Order on 2nd April 1945 framing certain Issues (Points for determination) in the Case and ordering that the parties should file their Lists of Witnesses whom they propose to examine on or before 30th of April 1945.

4. Mr. Mir Safdar Hussain, B.A., who presided over the Deputy Commissioner's Court at Mandya and conducted the Enquiry up to this stage was transferred to Tumkur District and handed over charge on 2nd April 1945.

Before handing over charge the Petitioner learns that Mr. Mir Safdar Hussain made a reference to the Government soliciting instructions as to the further Enquiry of the Case and that thereupon the Muzrai Commissioner has recommended to the Government that further Enquiry might be held by Mr. Mir Safdar Hussain himself at Tumkur.

5. The Petitioner's Representatives and several Witnesses who are to be examined on behalf of the Petitioner have to come from Mysore and from Mysore District Many of them are elderly and orthodox people From enquiries made, it is learnt that it is not possible to find at Tumkur suitable accommodation for all these persons who may have to stay there continuously for a number of days.

urther there are not adequate facilities for travelling to and from Tumkur. The Motor Bus Services are irregular and unreliable, and the only train by which passengers can travel from Tumkur to Bangalore in the evenings after the Court hours is expected to leave Tumkur at 7-16 P.M. and reach Bangalore at 9-30 P.M. But actually that train is

very irregular and generally reaches Bangalore late in the night. As a consequence of the above inconveniences, the Petitioner's Representatives, Witnesses and Counsel would be put to great hardship if the further Enquiry of the Case is to be continued at Tumkur.

The said inconveniences will not be experienced if the Enquiry is conducted and continued at Bangalore by the Deputy Commissioner of Bangalore District.

6. Further, there would be no sort of inconvenience by reason of the Enquiry being continued by some Officer other than Mr. Mir Safdar Hussain inasmuch as he has not recorded any evidence at all in the Case. Any other Officer who is ordered to continue the Enquiry has only to peruse the Statements filed and -- Documents produced on behalf of the parties in order to understand the Issues or Points for Determination before continuing the proceedings.

For the foregoing reasons, it is prayed that the Government may be pleased to direct that the further Enquiry in the Case may be held at Bangalore by the Deputy Commissioner of Bangalore District.

Sri Karyakartha
holding a General Power of
Attorney from His Holiness
the Swamy of Sri Parakala Mutt.

24/5/55

I, Sri Karyakartha of the Petitioner-Mutt, solemnly affirm that what is stated in paras 1 to 6 supra is true to the best of my information, knowledge and belief.

Sri Karyakartha
holding a General Power of
Attorney from His Holiness
the Swamy of Sri Parakala Mutt.

Mysore,
24-8-1945.

Section No. R

File No Encls.

Serial Dated the June 1945

To —

ENDORSEMENT.

Granted to — Sri K. Srinivasa Iyengar,
Sri Haryakartha of Sri Parakala Mutt Mysore

With reference to his application dated the 24th May 1945, praying that the enquiry pertaining to the Agrakartha honours claimed by Sri Ahobala Mutt may be ordered to be held by the D.C, Bangalore Dist., the applicant is informed that Govt. see no reason to reconsider the orders already passed in the matter ~~comply with his request~~.

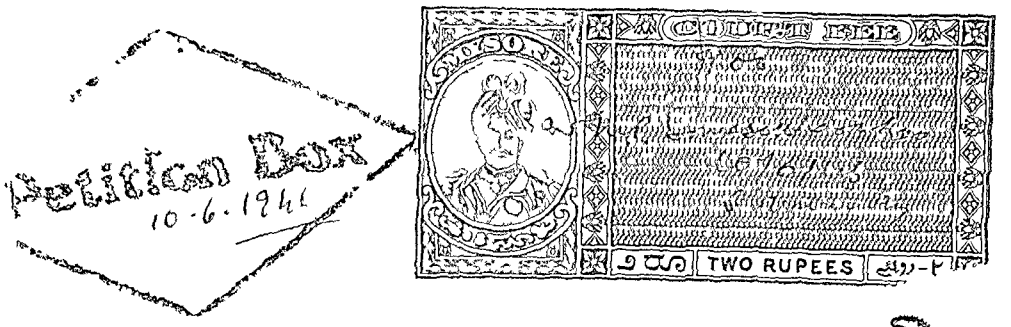
B. O.

For Genl. Secy.

Memo No. R. Dated the June 1945

Copy w.c. to the M.C. in continuation of this Office letter No. R. /Miscl 118-44-28, of even date for information and necessary action.

B. O



7140-
R 12/6

Dy 11-6-46

BEFORE THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE, BANGALORE.

Muzrai Case No. of

Petitioner: S.Sreenivasa Raghavachar, General Agent, Sri Ahobala-swamy Mutt

Versus

Respondent: Sri Parakalaswamy Mutt, Mysore, represented by Srikaryakartha K.Srinivasa Rangachar holding a general power of attorney from the Swamy of the Mutt.

In Re Petitioner's claim in regard to Aradhana at Melkote Temples

Application on behalf of the Respondent.

1. In the above matter, the Government had ordered that the Deputy Commissioner of Mandya later on the Deputy Commissioner of Mumkur should hold an enquiry and make a report.

2. The said Deputy Commissioner held an enquiry and examined several witnesses on both sides. A large number of exhibits were produced before him by both the parties. Some of them are of ancient date and the genuineness of some of the documents relied on by the Petitioner is disputed on several grounds. The questions involved are of a complicated nature and the issues at stake are of considerable importance particularly to the Respondent as the spiritual head of Melkote temples.

3. For the foregoing reasons it is necessary to safeguard the interests of justice that counsel should be heard by the Government before passing final orders on the report of the Deputy Commissioner.

4. The Respondent therefore prays that if the report of the Deputy Commissioner has been received a date may be fixed for hearing the Respondent's counsel and notified to the Respondent and that final orders be passed after hearing the counsel.

M.Thirumalacharlu
Advocate for Respt
D 10 6/46

Section. Miscl. No. R. 1969

File No. 118-44 Encls.,

Serial No. 22. Dated the August 1946.

To

The Mirasi Coemr. in Matters
Pertaining

Sir

in the Temples at Melkote,
Subject:- Agraharetha Honours/claimed by
Shri [illegible] —

Adverting to the correspondence ending with letter No. Jr I-C. 326/44-45, dated the 30th January 1946, on the above subject, I am directed to request that necessary instructions may be issued to the D.C., Tumkur District, to complete the enquiry in the matter early and to send his report without further delay.

I have, etc.,

for Secy. to Govt.,
Law Dept.

Memo. No. R. 1970/Misc.

Copy forwarded b/c to the Dy. Coemr., Tumkur, for info. and for sending a report in the matter very early

17/8.

for Secy. to Govt.
Law Dept.

By. 17/8/46.

ppendix F. G.—1]

BJECT.. ... .

....

HH31
R

No. G.L. 172
46.47.

Mucr · 118-44-24.

MAHARAJAGURU HIS HOLINESS
SRI BRAMHATANTRA PARAKALASWAMI MUT,

Mysore, Dated _____ *194*

P.1938
20.1.47.

Law Secy.
Arrange hearing; if not received, call for it - We have sent reminder

From

Mukhami and Adviser,
Sri Bramhatantra Parakalaswami Mut,
MYSORE

To

19/1/47 The Honourable The Revenue Minister
Govt. of H H the Maharaja of Mysore
in Bangalore.

20/1

Sir,

4/47 A Muzrai Case, regarding Agralitha Honours at Melkote Temple between Sri Ahobila Mutt and Sri Parakala Mutt, is enquired into and arguments heard finally by Mr. Mir Safdar Hussain, Deputy Commissioner, Tumkur District, nearly a year ago.

Immumerable records, old and ancient drawings and Samads are produced by This Mutt in the above case. The report from the said Officer may kindly be called for and the case disposed off early. Many of the documents are required by the Sri Mutt to be referred to and produced at other places. Hence I pray that arrangements may also be made to return the exhibits, after disposal of the above case by the Government.

I have the honour to be Sir
Your most obedient servant
Sd/- Parakala Mutt

Appendix F. G.—1]

SUBJECT Agrahaeertha Honours claimed by Shri Ahobala Mutt in the temples at Melkote

Section Mysorai
File No. 118-44
Serial No. 25

Diary No. of letter replied to.... AA31/R

No. R. 6978/—

General and Revenue Secretariat
(Mysr. Section)
the 25th January 1947.

To - The Mysorai Commissioner in Mysore,
Bangalore.

Sir,

ate of issue... 29th January 47

Signed by..... MN. JK.B

In inviting your attention to the correspondence ending with this office Memo No. R. 2071/ Mysr. 118-44, dated the 26th August 1946 on the above subject, I am directed to state that the Mukhami and Adviser to the Shri Parakala Mutt at Mysore, has petitioned State inter alia that Mr Safdar Hussain, the D.C. of Tumkur District heard the final arguements in the case under enquiry before him, nearly a year ago, and urging that the case may be disposed of early and that the documents filed before him as exhibits in the case, returned as they have to be produced else-

List of enclosures.....

Copied by.....

Examined by.....

WD 04161—GPB—60,000—24-10-41

there. I am therefore to enquire why there
on the part of the Dr
is such delay in furnishing his findings,

and to request that the connected records
findings
and his order on the case may be obtained
forwarded with your remarks
as early as possible and furnished with your
thereon
views for the consideration of Govt.

2. The matter may be treated as urgent.

I have, etc.,

sd
29/1

For Secy to Govt., Law Deptt.

27/1

Memo No. R. 6979/-

Dated. the 29th January 1947.

Copy is forwarded with compliments to the D.C.,
Tumkur District, for information and necessary action.

By Order

27/1

For Secy to Govt., Law Deptt.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat.

No. R. 6978/Mis3 118-44-25 *Dated Bangalore,* 20 January

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore.

To

Law Department.

The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

Subject: Agratheertha Honours claimed by Shri Ahobila Mutt in the temples at Melkote.

In inviting your attention to the correspondence ending with this office Memo No.R.2071/Miz.118-44, dated the 26th August 1946, on the above subject, I am directed to state that the Mukhtami and Advisor to the Shri Parakala Mutt at Mysore has petitioned stating inter alia that the Deputy Commissioner of Tumkur District heard the final arguments in the case under enquiry before him, nearly a year ago, and urging that the case may be disposed of early and the documents filed as exhibits in the case, returned as they have to be produced elsewhere. I am therefore to enquire why there is such a long delay on the part of the Deputy Commissioner in furnishing his findings, and to request that the connected records and his findings on the case may be obtained as early as possible and forwarded with your remarks for the consideration of Government.

2. The matter may be treated as urgent.

I have the honour to be,
Sir,
Your most obedient Servant,

Sd. S. Kesakaratnaraj,
Law Secretary to Government.

p.t.o.

Memo No. 6979/- Dated, 29/7/47

Copy of the foregoing is forwarded with compliments to the Deputy Commissioner, Tumkur District, for information and necessary action.

By Order,

K Bala Subramanyam

For Law Secretary to Government.

Mwz. 118-44-26.

No. C.147/46-

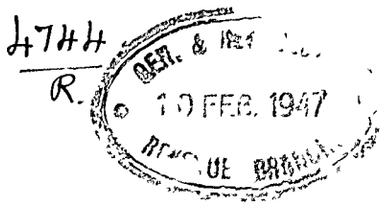
Encl.

OFFICE OF THE DEPUTY COMMISSIONER,
~~DEVELOPMENT BRANCH~~,
TUMKUR DISTRICT, TUMKUR.

Dated 7th February 194 7.

From

THE DEPUTY COMMISSIONER,
~~DEVELOPMENT BRANCH~~
TUMKUR DISTRICT, TUMKUR.



To

S.Kanakaratnaraj, Sc.,B.L.,
Secretary to Government,
Law Department, Bangalore.

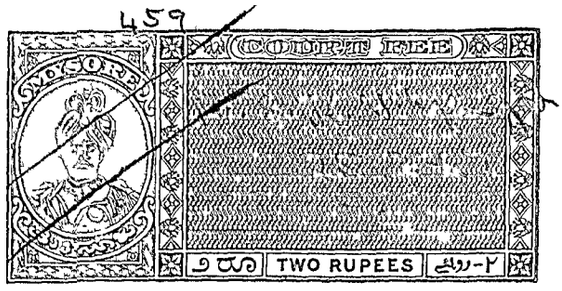
SIR,

Subject:- Irregularities occurred in the Jatra of Sri Ahobila Mutt in the temples at Siruguppa.

With reference to your letter No.L.6973/ Mz. 118-44-25 dated 24th January 1947 addressed to the Muzrai Commissioner, requesting me to instruct me to expedite my report regarding the Jatra enquiry held by me, I have the honour to state that I have submitted my report to the Muzrai Commissioner in this connection separately. The delay was due to the fact that the enquiry was a laborious one and I had to carry it out in addition to my own duties, particularly, at a time when the general conditions of the District were very unsatisfactory and hence the delay in the submission of the report which is regretted. The Muzrai Commissioner will be sending the report to Government in due course.

I have the honour to be
Sir,
Your most obedient servant,
Deputy Commissioner,
Tumkur District.

459



5097/R.

Muzrai 118-44-29.

Before the Government of His Highness the Maharaja of Mysore, Bangalore.

Petitioner:-S.Sreenivasa Raghavachar, General Agent of Sri Ahobilaswamy Mutt.

Versus

Respondent:-Sri Parakalaswami Mutt represented by its Srikaryakartha K.Srinivasaraghavachar.

In regard to the petitioner's claim in regard to Agrathirtha Honours at Melkote Temple.

Application on behalf of the Petitioner.

1. In regard to the petitioner's petition to the Government of His Highness the Maharaja of Mysore for direction to the Melkote Temple authorities to accord Honours to His Holiness Sri Ahobilaswamiji on the occasion of His visits to Sri Cheluvarayaswami Temple at Melkote, in accordance with the "Nirups" which had been issued by His Highness Krishnaraja Wodiyar III, and the previous sovereigns from the time of Sri Kantirava Narasimharaja Wodiyar the same having been withheld by the local temple authorities on the obstruction offered by the agent of Sri Parakalamutt, Government were pleased to refer the petition for enquiry and report to the Muzrai Commissioner in Mysore.

plus 9d/ 25-2-47

2. Rajasevaprasakta M.Seshadri who was the then Muzrai Commissioner having been a disciple of Sri Ahobila Mutt, Mr.Safdar Hussain the Deputy Commissioner of Mandya by Government's letter No.R.9513-Muz.118-44-20 dated 18-6-45 was authorised to conduct the enquiry and send up a report.

3. Both sides being represented by Counsel, a detailed enquiry was held, witnesses on either side were examined and cross-examined and both sides filed number of important documents. The learned Deputy Commissioner after closing the enquiry, hearing the

arguments and calling for written arguments on either side, closed the case for his decision nearly an year ago. It is only some time in this month that the under-signed who is the petitioner's Counsel got information from the Deputy Commissioner that he had sent up his report to the Muzrai Commissioner. No date was given for announcing his decision nor copies of the report made available to the under-signed and on his enquiries in the Muzrai Commissioner's office he was told that orders were necessary before a copy of the report could be granted.

4. Regular issues had been framed, parties asked to adduce oral and documentary evidence, arguments heard on both sides and the case was reserved for orders. It was thus a regular enquiry and the under-signed presumes that the Deputy Commissioner must have recorded his findings and passed final orders. The decision ~~given~~ come to by the Deputy Commissioner, it is submitted, ought to be made available, and that the petitioner is entitled to a copy.

5. The questions involved are of a complicated nature and the issues at stake are of considerable importance particularly to the parties who are the spiritual heads of Mutts who have a large following including Royal disciples.

6. It is necessary to safeguard the interests of justice that the Counsel should be granted copies of the report and be heard, before final orders are passed by Government.

7. It is a matter for the Government whether ~~the~~ in view of Mr. Seshadri having become the Minister and having been succeeded by Mr. S. Narayana Rao who has no personal interest in the result of the case the normal procedure of counsel being heard by him and his decision also being considered before

Government pass final orders after hearing the parties through their Counsels should be followed or whether Government would straight away deal with the matter and hear parties through their counsels.

8. The under-signed therefore prays as representing the Sri Ahobila Mutt that a copy of the report or decision of the Deputy Commissioner may be ordered to be granted to him, a date fixed for hearing the parties and that final orders may be passed after hearing the Counsel on both sides, It will be seen to a similar effect the respondent had petitioned the Government through the Counsel as early as on 10-6-46.

9. The petitioner further prays that the Government may be pleased to direct that ~~the~~ pending hearing ~~[redacted]~~ not ~~[redacted]~~ to pass any order in the case.

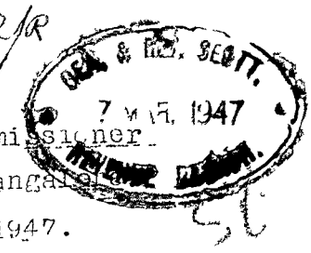
K. Ramachandra Iyer
Advocate for Petitioner.

Bangalore,
25th February, 1947.

5312/R

C.F. No. 46]

GOVERNMENT OF MYSORE



No. NJ.326/44-45
Encls. one report in one box sealed

OFFICE OF the Huzrai Commissioner
in Mysore, Bangalore
Dated 1st March 1947.

To

The Secretary to the Government Mwz-118-44-28.
of Mysore, Law Department, Bangalore.

Sir

Agrathirtha Honours in the Temples at Melkote, claimed by Sri Ahobila Swamy.

With reference to your letter No.R.1969/Huz.118-441 dated 21st August 1946, and subsequent communication No. R.6978/Huz.118-44-45 dated 29th January 1947, calling for a report on the above subject, I have the honor to forward herewith, the report, in Case No.C.147/45-46 dated 4th Feb. '47 received from the Deputy Commissioner, Tumkur District, with his letter No.C.C.147/45-46, dated 6th February 1947 (copy enclosed).

After conducting a detailed enquiry and hearing both sides and examining the witnesses and documents filed by both parties, and also the old records of the Melkote temple, the Deputy Commissioner has given definite findings, supporting the fact that the existing practice, in Melkote Temples, of showing Agratheetha Honours to Sri Parakala Swamigalu and, in his absence, to his gumasta, in preference to all other Swamies, which is being followed from a very long time, has to be respected.

The box containing the various exhibits filed in the case, as per enclosed lists, and received from the Deputy Commissioner, is herewith sent for kind perusal and return. The receipt of the same may kindly be arranged to be acknowledged

I have the honor to be;
Sir,
Your most obedient servant,

S. Varadarajan

Huzrai Commissioner.

1947

Letter No. C.C.147/45-46 dated 6th February/from the Deputy Commissioner, Tumkur **District, to the Muzrai Commissioner in Mysore.**

Subject:- Agrathirtha Honours claimed by Sri Ahobila Mutt in the temples of Melkote, Krishnarajpet Taluk.

I have the honor to forward herewith my report regarding the Agrathirtha Honours claimed by Sri Ahobila Mutt in the temples of Melkote in Krishnarajpet Taluk, which enquiry was ordered to be held by me and a report submitted to Government through the Muzrai Commissioner.

The final enquiry was completed by me after examining the witnesses and Nirups and other documentary evidence produced by the respective parties I have submitted my report for the consideration of Government.

The enquiry required the examination of many records and other written documents and I had to do it in addition to my duties of the District, particularly at a time when the seasonal conditions of the District were unsatisfactory and hence there has been some delay in sending my final report which is deeply regretted.

I have herewith sent the lists of all the Nirups and other documentary evidence which the respective parties produced along with my report (vide lists appended).

"Copy"

For Muzrai Commissioner.

LIST OF EXHIBITS FILED BY Mr.D.K.VENKATARANGA IYENGAR

COUNSEL FOR SRI AHOBAL MUTT.

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EXHIBIT	DATE	SUBJECT MATTER
A.	20- 4-1806	Letter from Dewan Purniah to Raje Sri Govinda Rao.
A.(1)	..	Corresponding Temple extract.
B.	30-11-1825	Nirupa from Sri Krishna Raje Wadiyar III
B.(1)	..	Covering letter (from Sri Krishnaraja Wadiyar III.)
C.	19- 4-1826	Nirupa from His Highness Sri Krishnaraja Wadiyar III to Mr.Hanume Gowda, Amildar, Attiguppe Taluk.
C.(1)	..	Corresponding Temple extract.
C.(1)(a)	..	Original of C1.
D.	1806-7	Temple extract relating to list of honours to be done to Sri Ahobalaswamy when he visits Melkote Temple.
E.	1825-26	Temple extract on the same subject.
F.	26-11-1825	Nirupa from Sri Krishnaraja Wadiyar III.
G.	1654	Nirupa from Sri Kanteeravanarasaraja Wadiyar to Parupatyegar of Melkote Temple.
G.(1)	..	Corresponding Temple extract.
G.(II)	..	Original Sannad of 'G'.
H.	March 1805	Memo from Dewan Purniah to Mr.Govinda Rao, Amildar, Melkote.
I.	1804	Memo from Dewan Purniah to Amildar, Melkote.
I.(1)	..	Corresponding Temple extract.
K.	19-10-1829	Nirupa from Sri Krishnaraja Wadiya to Mr.Hanume Gowda,Amildar, Attigu
L. M.	19- 4-1825 18- 5-1841	Two invitations issued to Sri Ahol Swamy by His Highness. Sri Krishnaraja
N.	21-10-1816	Nirupa from Sri Krishnaraja Wadiy to Narasiah Parupathegar.
O.	Krodhana Samvatsara Ashada-bahula.	Memo from Dewan Purniah to Mr. Amildar, Attiguppe.
P.	14- 8-1829	Certified copy of the Ayakat Sri Prasanna Krishnaswami to Mysore Palace.
Q.		Containing 4 extracts from dated 19-2-1855, 21-2-185 and 19-3-1855 to show th H Honour were given

EXHIBIT	DATE	NATURE OF DOCUMENT
U.	1884	Certified copies from the Shanbhag of Sri Krishnaswamy temple, Mysore.
V.		Kharadu of Parthivanamasamvatsara.
V.V.V.		Kharadu of 1812 (Angirasa Year)
W.		Plaint copy in O.S.37/40 on the file of the Munsif at Seringapatam.
X		Certified copy of endorsement issued to the Agent of Parakal Mutt by the Amildar, Seringapatam.
Y.	31-11-1902	Certified copy of the endorsement issued by the Deputy Commissioner, Mysore District.
Z.		Re: Register of 1871 - Certified copy granted by the Deputy Commissioner, Mysore District dated 12-3-1902.
Z.(1)		Guru Parampara - A printed book relating to the Gurus of Parakal Mutt and stated to have been published by the Parakal Mutt.
A.A.		Relating to the removal of T.Srinivas Char - Mata Mudre from his Office.
B.B.		Copy of Court proceedings in a Civil case between T.Srinivasa Char and Sri Ahobala Mutt in Tamil.

Deputy Commissioner,
Tumkur District.

LIST OF EXHIBITS FILED BY MR.M.P.SOMASEKHARA RAO
FOR SRI PARAKAL MUTT.
****

EXHIBIT	DATE	SUBJECT MATTER
1.	1653 A.D.	Sri Kanteerava Narasaraja Wadiyar's Nirupa of [illegible] sent to Melkote Chenayya directing that [illegible] should be observed as per usage in all Melkote temples at the time of [illegible]
2.	1810 "	Letter from Dewan Purniah dated 17-2-1810 [illegible] to the Parupathegar of Sri Parakal Mutt.
~~2(a)~~		
2(a)		Photo copy of Exhibit 2.
3.	1811 "	Nirupa dated 20-5-1811
4.	1817 "	Nirupa dated 2-1-1[illegible]
5.	1817 "	Nirupa dated 17-11-18[illegible]
6.	1818 "	Nirupa dated ~~21-4-1818~~
7.	1818 "	Nirupa dated 14-4-1818
8.	1821 "	Nirupa dated 16-11-1821
9.	1825 "	Nirupa dated 10-5-1825.
10.	1828 "	Nirupa dated 13- 5-1828.
11.	1830 "	Nirupa dated 28-[illegible]-1830
12.	1830 "	Nirupa dated 20-8-1830
13.	1831 " (Marati language)	Nirupa dated 20-6-1831
14.	1838 "	Vignapanapatrika dated 22-2-1838 by His Highness Sri Krishnaraja Wadiyar III to Sree Sreenivasa Brahmatantra Parakalaswamy.
15.	1844 " (Marati language)	Nirupa dated 16-4-1844
16.	1853	Vignapanapatrika dated 31-5-1853 by His Highness Sri Krishnaraja Wadiya III to Sree Srinivasa Brahmatantra Parakalaswamy
17.	1856	Letter from His Highness Sri Krishnaraja Wadiyar III to Lieut-General Sir Mark Cubbon (Commissioner) dated 12-9-1856 upholding the usage of offering Agra-thirtha toSri Parakalaswamy in all templ in Mysore State.

		Letter from the Nassan Dist. Muzrai Incharge Officer to the Director and Committee members of Melkote Temple, fining the Karupathogar Rs.5/- for having shown band and other honours against mamool to Sri Abobulaswamy and for having allowed him to enter the Golden Gate with his Paraphernalia.
19.	8-9-1874	Letter from the Nassan District Muzrai Incharge Officer to the Director and Committee members of Melkote temple. It should be given to a Yathi first and then to the Srihastha Sumastha of Sri Parakalaswamy Mutt.
20.	14-10-1874	Deputy Commissioner's endorsement to Peshkar.
20(A)	14-10-1874	Deputy Commissioner's endorsement to Muzrai Officer.
20(B)	25-11-1874	Muzrai Officer's Order withdrawing his order in Exhibit 19.
20(C)	29-5-1875	Commissioner's endorsement to the Mutt intimating the Deputy Commissioner's Order (Ex.20)
21.	3-1915	Special Committee's enquiry and report and G.O. No.531-46-Muz.69-09-4 dated 19-3-1915 recognising Mutt's rights. (Except in the case of e & f)
22.	1921 2-4-1921	Marked in Mutt's complaint against Peshkar decided in Mutt's favour as per G.O.No.5451-20-Muz-1-20-28 dated 2-4-1921
22(a)		Certified copy of the above.
23.	1930 14-11-1930	Endorsement to the petitioner Mr.M.A. Appanmaiengar rejecting his application and quoting G.O. dated 2-4-1921 supra.
24.	1930 11-9-1930	Allam Thallam Seva case. 'Male' and 'Parivatta' honours claimed by Thondanur Ubiyar's family representative. Deputy Commissioner decided in favour of the Mutt.
24(a)	1934 2-8-1934	-do- Muzrai Commissioner on appeal confirmed the orders of the Deputy Commissioner. Note (Nirupa of 1830 was relied upon in both Courts)
	1930 20-9-1930	Order of the Muzrai Commissioner in appeal No.10 of 1923-24 granting the Mutt's claim. G.O. dated 2-4-1921 supra is referred to in this order.
26.	1934 24/27-11-1934	Order of the Muzrai Commissioner in Appeal No.13/1933-34 granting the Mutt's claim.
27.	1936 17-1-1936.	Government Order in Muz.Appeal No.14/34-35 confirming the above two orders.
28.	1937 29-7-1937	Petition to review Order passed in G.O. in Muz.Appeal No.14 of 34-35 - Rejected.
29. (a to g)	4 in all	Several invitations issued by His Highness the Maharajas to Sri Parakalaswami.

30.	Sheet No.84 out of the Karadu for Parthiva Samvathsara, Karthikamasa (out of 87 sheets
31.	Sheet Nos.45, 46 and 47 of the Karadu for Parthiva Karthikamasa
32.	Shamal of April 1844 relating to Sri Ahobala swamigalu's visit to Melkote - [illegible] 18th.
33.	Shamal relating to H.H.Anobilaswamigalu's visit to Melkote 1866 from 16th.
34.	The visit of His Highness the Maharaja Sri and Sri Parakalaswami during the Tirunakshathra of Sri Pululokacharya.
35.	Visit of Parakalswami to Melkote during March 1844
36.	Order No.384 dated 13-9-1874 from the Taluk Office to the Directors of the temple at Melkote
36(a)	Copy of the order No.448 dated 21-2-1874 from the Taluk -do-
37.	Sha-amal relating to the visit of H.H.Sri Ahobilaswami to Melkote during Vairamudi 1916 (from 13-5-1916 to 20-5-1916).
38.	Order of Mysore District Deputy Commissioner in Case H.29/AC.
39.	Invitation issued by Sri Ahobila Mutt for Chaturmasya Sankalpam of Sri Ahobalaswami during the year 1935 to the archak of Conjivaram temple - Ramaswami Bhattar witness for Parakalaswami Mutt.
40.	Sha-amal of Melkote temple of April 1844 relating to the visit of Sri Ahobalaswami to Melkote which had been produced in the Yathiraja Mutt Arathirtha case by the temple, but stated to have been wrongly given by Parakala Mutt.
41.	Copy of the several references relating to the Prasanna Krishnaswamy temple in the Palace records in the matter of honours to be shown to the Swamies of Parakala Mutt and Ahobila Mutt.
42.	Endorsement x issued by Government to Sri Karyakartha of Sri Parakala Mutt dated 27-6-1935.
43.	Letter stated to have been given by Sri Ahobilaswami to the Karyakartha of Parakalaswami Mutt during the Yathiraja Mutt ex case.
43(a)	& Translated copy of the above.
44 & 45	Letter of the Deputy Commissioner, Hassan to Mamdi of Melkote, Hassan and to the Commissioner, Ashtagrama Division respectively.
46	Orders of the D.C. Mysore to Amaldar Commissioner and Government upholding the Nirup of 1850 and 1811.

47 & 47(a)	Ayakattu patti of 1-7-1845 sent by Government to Sri Parakal Mutt in connection with the visit of Sri Vana-mamale Mutt.
48.	Certified copy of Sha-amal of 14-6-1915.
49.	Temple copy orders of Capt.Montogomery re: honours to be shown to Vanamamalai Mutt.
50.	Certified copy of the order No.118 of 1844 referred to in Ex.40.
51 a to c	The list of documents which were sent to the Agrathirtha Committee and to show which were exhibited.
52 (a & b)	Thaniya and Guru Parampara of Parakala-swamy Mutt.
53 (a & b)	Sanad to show that Rangachar was the Sri Karyakartha of Mutt.
54 and 54(a)	Sannad of Chitrabhanu and Vikrama of Krishnaraja Wadiyar endowing Inam villages to the Mutt etc.,
55.	Extract relating to the Mutt on page 58 in Epigraphica Carnatica.
56.	Copy of the Maryadas relating to the Nityakatle and Pechukatle sevas in Melkote temple as per details of 18-4-1871
57.	Endorsement issued by Government dated 25-1-1946

Deputy Commissioner,
Tumkur District.

IN THE COURT OF THE DEPUTY COMMISSIONER,
TUMKUR DISTRICT.

Case No.C.147/45-46 dated 4-3-1947

PRESENT.

Sir Safdar Hussain, B.A., I.C.S.,
Deputy Commissioner,
Tumkur District.

PETITIONER.

The General Agent,
~~Sri Xxxyxxxxxxx of~~ Sri Ahobala Mutt,
Camp.-Bangalore.

Vs.

RESPONDENT.

The Mukkami & Adviser of Sri Varadal
Mutt, Mysore.

SUBJECT.

Agrathirtha Honours claimed by Sri Ahobalaswamigalu in Melkote Temples.

Letter No.R.9515/ Muz.118-44-20 dated 18th June 1945 received from the General Secretary - through the Muzrai Commissioner, authorizing me as Deputy Commissioner, Tumkur District, to complete the enquiry in the aforesaid case which I had conducted and passed an interim order when I was in charge of Mandya District.

ORDER.

In my order dated 2-4-1945 I observed that the following four issues were for considerations, viz.,

(1) whether Sri Ahobalaswamiji has been granted equal rights in respect of Agrathirtha honours in Melkote Temples vis a vis Sri Varadachal Swamiji;

(2) whether Sri Ahobalaswamiji is entitled to be granted Agrathirtha honours in priority over a Gumastha of Sri Varadachal Swamiji;

(3) whether Sri Ahobalaswamiji has lost the right of Agrathirtha by acquiescence or abandonment;

(4) whether the Committee presided over by late Diwan Bahadur T. Rangaswamy Iyengar and the Government [illegible]

thereon, sets at rest the present dispute and is binding on Sri Ahobalaswamy as well.

In support of his contention regarding issues (1) and (2) supra, the petitioner and the respondent have produced documentary evidence. The Petitioner in particular relies on Sirups granted by his Late Highness Sri Krishnaraja Wadiyar III dated 26/30-11-1825 - EXHIBIT F. EXHIBIT C.19-11-1826 EXHIBIT K. 19-10-1829 and the memo issued by Dewan Poornaiya dated 1804 EXHIBIT J and 20-4-1865 EXHIBIT H.

The Respondent ~~xxxx~~ in his written statement disputed the genuineness of the said documents. Hence it was considered necessary that the petitioner should prove that the documents on which he relied are - genuine.

The Petitioner and the Respondent both adduced evidence on these points and the petitioner examined three withesses on his behalf and the Respondent - (Sri Parakalswamy) examined Seven witnesses. I shall now proceed in the light of the further evidence - adduced by them and considering the learned arguments advanced by Mr.S.K.Venkataranga Iyengar on behalf of the petitioner and Mr.Somasekhara Rao on behalf of the respondent to give my finding on each of the above four issues framed by me.

The Petitioner's claim in short is as follows:-

The Petitioner Sri Ahobala Swamy claims that he is entitled to AGRAT IRT A HONOURS at the temples of Melkote with the terms of Sirups EXHIBIT B and C dated 30-11-1825 and 1826. The petitioner further prays for an order that when the petitioner and the

the Respondent Swamijis are both present they should both be given Thirtha with the associated honours at one and the same time and that when Sri Ahobalaswamy is alone present he should first be given Thirtha with the associated honours before a Gumastha of the Respondent (Sri Parakal Swamy Mutt). Reliance is placed in the petition mainly on EXHIBIT G2 alleged Nirup of Sri Kanteerava Narasaraja Wadiyar, EXHIBIT A - Paravane of Dewan Poornaiya dated 20-4-1806 and EXHIBIT B and C alleged Nirups of Sri Krishnaraja Wadiyar III dated 30-11-1825 and 19-4-1826. It is further stated that when the petitioner (Sri Ahobala Swamiji) claimed Agrathirtha on 8-10-1944 he was told that according to the Government Order dated 19-8-1915 passed on the Report of the Agrathirtha Committee, only the Respondent (Sri Parakalaswamy) and in his absence the Respondent's Gumastha were entitled to the Agrathirtha honours. The petitioner further contends that the said order being passed in respect of disputes between Sri Parakal Swamy and Sri Yathiraja Swamy and certain Acharya Purushas it was not binding on the petitioner (Sri Ahobalaswamy) who was no party to the proceedings which culminated the order.

I now first consider the Fourth issue in this case viz., whether the findings of the Agrathirtha Committee and the Government Order passed thereon in 1915 set at rest the present dispute and whether it is binding on Sri Ahobalaswamy as well.

No doubt the question of Agrathirtha honours

that Committee
honours was fully dealt with by ~~the respective parties~~, / the said evidence was considered in

/ and great detail by the Committee and on the Committee's

/ were report Government/~~were~~ pleased to pass their final Order dated 19-8-1915. In the first place it is to be noticed that the petitioner or his predecessors were no parties to those proceedings. Hence Sri Ahobalaswamy had no opportunity to lead his evidence in support of his Agrat.irtha Honours. No doubt one Mr.Ruppaswamy Iyengar of the petitioner's Mutt (20th witness) has been examined in the course

/ he of the enquiry but/~~that~~ was a witness on behalf of the Respondent in order to prove the usage in certain temples in British India where Gumasthas were entitled to Honours in the absence of the Principal Gurus. He was not examined on the question of the rights of the petitioner in respect of honours due to him in the Melkote temples. In fact no opportunity seems to have been afforded to the petitioner to put forth his case before the Committee; but it was open to Sri Ahobalaswamy to have preferred his claims for the Agrat.irtha Honours to be clarified once for all when the Government had appointed a Committee explicitly for that purpose and Sri Ahobalaswamiji was well aware of these enquiries and its general scope. It is seen that Sri Ramachandrachar respondent's witness went to ~~the~~ Sri Ahobalaswamy and brought the letter EXHIBIT 40 from him. He also requested him to send his agent to give evidence before the Committee and the agent Ruppaswamy Iyengar was accordingly sent and he has given his evidence before the Committee as D..20 on page 105 of the

Though Sri Ahobalaswamiji was thus aware of the proceedings pending before the Committee he did not then think of producing the Nirups now relied on and urging his claim to Agrathirtha Honour now put forward by him. Why the Swamiji did not press his case for the clarification of Agrathirtha Honours is rather difficult for me to understand at this stage. Government Order on the report (EX IBIT 21) was passed on 19-8-1915. Sri Ahobalaswamiji must have come to know of the contents of the order. The Order of the Government is general in its terms and unqualifiedly recognises the right of Agrathirtha not only of Sri Parakala Swamy but also of his Gumastha at Melkote Temples and at other Vishnu - temples in the State with the exception of Malekal Thirupathi and 'Banavar' where the right was said to have been lost by reason of non-enjoyment for a long time and yet Sri Ahobalaswamiji did not think of asserting his right in this respect and producing the nirups which he has done now. As such in my opinion the proceedings of the Agrathirtha Honours Committee ought to be considered binding though Sri Ahobalaswamiji did not contend it.

The Third issue in this case is whether the petitioner has lost the right to Agrathirtha by abandonment or acquiescence.

In this connection reference is invited to the several visits made by the petitioner Swamiji to Melkote. The earliest of these was in the year 1844. It is evident from the records that in April 1844 Sri Ahobalaswamiji visited Melkote (EXHIBIT 50 dated 13-4-1844 and EXHIBIT 40 dated 14-4-1844). (EXHIBIT 40) is a record in the Shanbhogal made by -

by Gundappa Parpatheyar of Melkote of the action taken by him during Sri Ahobalaswamy's visit to the place. This Exhibit was produced before the Agrathirtha Committee as well and was marked as EXHIBIT in the Yathiraj Mutt Case.(EXHIBIT 32)is a Sha-Amal (Maradu) of 1844 which indicates that Sri Ahobalaswamy visited Melkote on 18-4-1844 and left the place on 20th morning. The above document disclose that no Agrathirtha was offered to the said Swamiji then. The next visit was in the year 1863 vide (EXHIBIT 33) Sha-Amal of 1863. The Respondent's predecessor was not then at Melkote but visited the place next year as evidenced by (EXHIBIT 35) and received Agrathirtha. Then again Sri Ahobalaswamy visited Melkote in November 1873 vide (EXHIBITS 18, 36, 36(a) as well as the Sha-Amal book containing (EXHIBIT 5). Even on this occasion the Agrathirtha honours were not given to Sri Ahobalaswamy. A reference in passing of (EXHIBIT 36) dated 13-8-1874 is necessary. (EXHIBIT 36) is a little different from the corresponding (EXHIBIT 18). It looks as though the words "Hale Paddathiyantne" are introduced in between "Hale" and "Thirtha". These words are not to be found in (EXHIBIT 18). From the said Exhibits it is seen that Agrathirtha honours were not shown to the petitioner's predecessors on their visit to Melkote. The last visit of Sri Ahobala swamy was in 1916. (EXHIBIT 37) Sha-Amal shows that the said Swamiji stayed from 13-3-1916 to 20-3-1916 but was not shown Agrathirtha honours. It may be noticed in passing that this visit of Sri Ahobalaswamy was after the Government Order on the recommendation made by the Agrathirtha Committee. I have dealt with the several visits made by Sri

Sri Ahobalaswamy to Melkote to show not only the conduct of the said Swamiji in asserting or not his rights to the Agrathirtha honours in Melkote temples but also to the action taken by the authorities concerned in either showing the said honours or with-holding them. It is evident that during none of these visits the said Swamiji asserted those rights. It is also clear that these - honours were not shown to him during all these - visits. It is not enough that these rights are given to the said Swamiji by Firups of hoary antiquity. The important point for consideration is whether those rights were asserted by Sri Ahobalaswamiji when the occasion demanded it. In case he did not assert them nor were those special - honours shown to him during his several visits the only possible conclusion is that he has lost those rights by non-enjoyment. It may not be out of place in this connection to refer by way of comparison to the finding of the Agrathirtha Committee on page 45, para 50 Vol.II (Kalur Case) wherein the Committee has observed that in such case the concerned Mutt can succeed only in case where it is able to prove the non-enjoyment in persuance of the Sannad of the year 1811. The Sannad of the year 1811 granted by His late Highness Sri Krishnaraja Wadiyar III and addressed to the Amildars, Shilledars and Devasthanam Parpathegars throughout the State directing that the Agrathirtha honours should be given to the Raj Guru Sri Paramaiswamy and in his absence to his Dhasthas in all Vaishnu temples in the State. The Committee further in this connection observed as follows:-

directed

"Though absolute, "~~XXXX~~ the terms of the Sannad are observed it is evident that for various reasons the Mutt has not enjoyed the Agrathirtha honours. The Mutt can succeed only in cases where it is able to prove the enjoyment in pursuance of the Sannad".

These remarks in my opinion apply with equal if not greater force to the non-enjoyment of the rights by Sri Ahobalaswamiji during his visits to Melkote.

I have therefore ~~to~~ come to the conclusion that Sri Ahobalaswamiji has lost rights to Agrathirtha by abandonment or acquiescence.

I now consider issues (1) and (2) together.-

(1) Whether Sri Ahobalaswamiji has been granted equal rights in respect of Agrathirtha - honours in Melkote temple vis a vis Sri Parakalswamiji;

(2) Whether Sri Ahobalaswamy is entitled to Agrathirtha honours in priority over the Gumastha of Sri Parakalaswamy.

The main contention of the petitioner Sri Ahobalaswamy is that he is entitled to equal rights in respect of Agrathirtha honours in Melkote temples vis a vis the respondent (Sri Parakalswamy), and further he is entitled to Agrathirtha honours in priority over the Gumastha of the respondent (Sri Parakalswamy). These claims of the petitioner are denied by the respondent who relies on the Firup (EXHIBIT 3) dated 20-5-1811. The Respondent contends that according to this Firup granted by Sri Krishnaraja Wadiyar III he is entitled to the first ~~Thirtha~~ Honours viz., First Thirtha, etc., in all Vishnu temples within the State and to like honours to his Gumastha in the Swamiji's absence. In support of his contention the petitioner (Sri Ahobala

Moodalaswamiji) relies on (EXHIBIT G2) dated March 1653 granted by Sri Kanteerava Narasaraja Wadiyar. This Sirup directs the grant of Agrathirtha honours to Sri Moodalaswamy. It may be noticed that this document though of ancient origin is not produced from proper custody. It is addressed to Devasthanada Seema Parpathegar Apprameya Mebbar and is produced by the petitioner. Moreover this document if construed directly gives precedence to the petitioner in respect of Agrathirtha honours over all other Swamijis. But the claim of the petitioner in the present case is of equal rights to Agrathirtha honours along with respondent and not to any precedence over him. Hence the two claims seem to be different. Further the petitioner strongly relies on the orders issued by Dewan Poornaiya to the Amildar of Melkote directing the latter to pay Prathamathirtha Prasadam honours to the petitioner's predecessor during his visit to Melkote vide (EXHIBIT J). (Copy of the order of Dewan Poornaiya dated 20-9-1804). (EXHIBIT H. 10-3-1805), (EXHIBIT G1 15-4-1806). I do not consider it necessary to deal with the merits of these exhibits in detail as the rights if any to Agrathirtha honours evidenced by the above noted documents were not in my opinion lost on account of (EXHIBIT 3) Sirup granted by His Highness Krishnaraja Wadiyar III dated 20-5-1811 and this Sirup is addressed to the Amildars, Shilledars and Devasthanam Parpathegars in the State and the relavent portions of the Sirup are as follows:-

"It is hereby ordered that in all Vishnu temples within your jurisdiction the first in the

Thirtha, Thirumale, Varase, Viniyoga etc., should first be given to the Maj Guru Sri Parakalswamy. The honours of the first thirtha, Thirumale etc., should also be allowed to those Brahmins of the Mutt to whom the Swamy might direct the same should be given. Further whenever the Swamy comes to visit the temple he should be received with Purnaja, Music and other honours and conducted into the temples where he should be paid all the Maryadas referred to above. (Vide translation of the Firup - page 1 of Vol.III of Upathirtha Committee report). As such in my opinion there can be no doubt as regards the genuineness of this Firup and further this Firup was produced before the Upathirtha Committee and was marked as (Exhibit B) in the Thirth Suit. The significant fact to be noted in this document is that the right of Upathirtha honours is given to the predecessor of the respondent (Sri Parakalswamy) because of the fact that he is a Maj Guru. The successive Sri Parakalswamy's continued to occupy of this honoured position. Hence this Firup granted to Sri Parakalswamy in the year 1811 A.D. is taken to apply to that Swamy's successors also. Hence the respondent is entitled to [illegible] other - Swamys Nagarkhin, the special honours as are given in Vishnu temples, I think it [illegible] to preclude the [illegible] Sri Parakalswamy) enjoys [illegible] respondent (Sri Parakalswamy). [illegible] 46 [illegible] Firup of 1811 [illegible] Firup (Exhibit B) [illegible]

of the oral order of the Huzur Bakshi (Srinivasa Jois) to the temple servants Venkatavaradachar and Ramaswamy to the effect that Sri Ahobalaswamy would visit Melkote and that equal honours should be shown to him as well as to Sri Parakalswamy. This document is no doubt more than 50 years old but it is on a loose sheet of paper unsigned and uncertified. Exhibit 30 is an extract from the Nagadi Naradu book of the same date viz., 19-11-1825. This exhibit mentions that Sri Ahobalaswamy would not be present at the Sathamore. (EXHIBIT 30) is silent with reference to ancient usage as found in (EXHIBIT E) and neither does it contain any direction that the two Swamys should get equal honours in accordance with ancient usage. (EXHIBIT 5) sets in catagorical terms that the first honour should be shown in all temples to the Raj Guru, viz., Sri Parakalswamy which is an evidence of the high position occupied by him in the State. It also shows that His Highness Sri Krishnaraja Wadiyar III wished that his Guru should be accorded the highest honour befitting his high position. (EXHIBIT B) dated 30-11-1825 is another Sirup relied on by the petitioner issued by His Highness Sri Krishnaraja Wadiyar III to the Amildar of Melkote directing him to show equal honours to Sri Ahobalaswamy and to Sri Parakalswamy when they happen to visit the temple simultaneously and to show precedence over Sri Parakalswamy's Gumastha during Sri Parakalswamy's absence. (EXHIBIT C) is a copy of the Sirup dated 19-4-1826 directing the Amildar of Melkote to show precedence in Prabhutva honours to Sri Ahobalaswamy over a Gumasta of Sri Parakalswamy and C1 is a copy of EXHIBIT C. Regarding (EXHIBIT B) it may be stated that it is not produced from proper custody. It is addressed to the Amildar

Amildar Hanume Gowda and as such it ought to have been in the temple record but it is produced by the petitioner and as such according to the presumption under section 90 of the Evidence Act it cannot - therefore be drawn in its favour.

EXHIBIT 57 - endorsement received from the Secretariat shows that there is no reference in the Secretariat Records to the Firups alleged to have been issued on 30-11-1825 (EXHIBIT B) and 19-4-1826 (EXHIBIT C) to Mr. Hanume Gowda, Amildar of Melkote in the Shanabal and Mozrana diaries of the period.

Hence I hold that they do not come from proper custody. Again (EXHIBIT B1) is not addressed to the concerned temple authorities (i.e Tyvasopike).

EXHIBIT 57 - endorsement from the Secretariat shows that the Secretariat records are silent regarding its issue. Again the Shanabals and other documents containing reference to the other visits of Sri Bhobalaswamy since the year 1825 negative the contention that equal honours are given to the petitioner and to the respondent and that the former had precedence over the latter's Gadasmas.

EXHIBIT C, C1, C(a) dated 19-4-1826 are uncertified copies of the Firup issued by the Princess Sri Krishnaraja Wadiyar III. The original however is not produced nor its non-production properly explained, and again these copies are uncertified and unsigned. There is a further significant fact in favour of the respondent viz., the issue of the Firup (EXHIBIT 11) dated 20-7-1850 and it is based on (EXHIBIT B and C). The Firup records the - holders to be as it be the respondent [illegible]

includes the Agraharthas. This exhibit along with EXHIBIT 5 in my opinion set at rest the contention of the petitioner that he is entitled to equal honours with the respondent. These two documents however show that His Highness Sri Krishnaraja Wadiyar III had held Sri Parakalaswamy in such high esteem as his Raj Guru would not grant equal honours to any other Swamy thereby bringing down the honoured position of his own Raj Guru.

EXHIBIT 5 in catagorical terms lays down the precedence of any honours to the Gumastas of Sri Parakalaswamy over the petitioner. No doubt to a lay-man it seems to be unwarranted and unexplicable that such a system is in vogue in Mysore as well as in British India which is amply borne out by the findings of the Agrathirtha Committee. Further the reports gives reason for this kind of precedence in the following terms.

"The payment of these honours to individuals by reason of right of Mamool cannot amount to any disrespect to others although of a higher standing who could come at other times and receive special honours to which their status may entitle them". Vide Agrathirtha Committee report page 45 para 49 Vol.II - Malur Case.

As such when the Firup (EXHIBIT 5 of 1911) in unmistakable terms gives this right of precedence to the Gumastas of Sri Parakalaswamy and that such right has been duly exercised from time immemorial and which cannot in my opinion be abrogated and a Mamool follo ed from long usage be claimed.

As such I hold [illegible]

[illegible]

[illegible]

[illegible]

No. R. 9502 / Encl. one Sealed iron Box

To

The Muzrai Commissioner in Mysore.

Sir,

Subject:- Claim of Sri Ahobala Mutt for Agrathirtha Honours in the temples at Melkote in the French Rocks Taluk.

Adverting to the correspondence ending with your letter No.N.1-C.326/44-45 dated the 1st March 1947 on the above subject, I am directed to forward the entire record for early disposal of the claims of the parties on merits after due notice to them since under clause 4 of Rule 5 of the Rules issued with G.O. No.1933-4/Muzrai.225-26-6 dated 21st April 1928 the Muzrai Commissioner is empowered to dispose of such claims for Agrathirtha in the temples.

I have etc.,

Secretary to Government
Law Department.

Endorsement. R.9503-04
1-4-47

Granted to
(1) Sri S.Sreenivasa Raghavachar,
Agent, Sri Ahobala Mutt, Petitioner
c/o Mr.S.K.Venkataranga Iyengar,
B.A.,LL.B.,
Gandhi Nagar, Bangalore City.
(2) Sri K.Srinivasa Rangachar, Karyartha
Sri Parakala Mutt, Mysore,
Respondent.

With reference to their petitions regarding Agrathirtha Honours in the temples at Melkote, the parties above named are hereby informed that the records have been forwarded to the Muzrai Commissioner in Mysore for disposal.

Memo No. R 9505/ d. 1-4-37

Copy is forwarded with compliments to the Muzrai Commissioner in Mysore, in continuation of this office letter No.R..... Muz.118-44-39 dated the March 1937 on the subject for information and necessary action.

B.O.

For Secretary to Govt.,
Law Department.

ndix F. G.—1]

JECT..... Claim of Shri Ahobala Mutt for Agratheertha Honours in the temples at ..... Melkote in the Tirumakudlu Narsipur Taluk.

Obstructed

*y No. of letter replied to 5312/R ....

General and Revenue Secretriat

(Mwr. Section)

the 20th March 1947

ceived on 2-4-47

ate of issue.. ... 1-4-47.

igned by.. .. MN. TR. ..

Section Mysore

File No. 118-44

Serial No. 29.

No. R 9502 Sealed cover One Bo, Containing records.

To. - The Mysore Commissioner in Mysore,

Bangalore.

Sir,

Adverting to the correspondence ending with your letter No. N 1-C 326/44-45, dated the 1st March 1947, on the above subject, I am directed to - state that under Clause 4 of Rule 5 of the Rules issued with G.O.No.1933-41 Mysrai 226-26-6, dated the 21st April 1928, the Mysrai Commissioner is competent to dispose of claims for Agratheertha and other honours in the temple. As the disability, if any, which existed when your predecessor was in office has ceased to operate, there is no technical impediment whatever for you, to dispose of the case arising from the present claims of Shri Ahobala

would like minor words

why disposal of the claims of the applications to be referred to Govt, as on merits since under the Rules issued with GO No 1933-41 Mysrai 226-26-6 dt 21/4/1928 the Mysore Commr is empowered to dispose of claims for Agratheertha in the temples

List of enclosures...

Copied by..... .. ..

Examined by . . . . . .

WD 0874—GPS—25,000—20-11-45

Mutt, ~~as urged by one of the parties to the case~~ in the circumstances to which ~~add~~ that

2. I am ~~therefore to request~~ you may yourself dispose of the case on merits, as early as possible, after due notice to both the parties.

3 The sealed box containing the records of the case received with your letter, ~~is~~ herewith returned.

I have, etc.,

21.3.47
For Secy to Govt.,
Law Dept.

Section: Miscl
File No. 7.
Serial No 30

No.R. 9503-04 April.
Dated the ~~1st March~~ 1947

ENDORSEMENT

Granted to:-(1) Sri S. Sreenivasa Raghavachar
Agent, Sri Ahobala Mutt, Petitioner. R. 9503.
C/o. Mr. S.K. Venkataranga Iyengar, B.A., B.L.,
Gandhi Nagar, Bangalore City

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(2) Sri K. Srinivasa Raghavachar, Manager. R.9504
Sri Parakala Mutt, Mysore, Respondent.

With reference to their petitions regarding Agrathreertha Honours in the temples at Melkote, the parties above named are hereby informed ~~that~~ ~~from~~ ~~proceedings~~ the M.C. in Mysore ~~has been requested to dispose~~ to dispose of the case on merits after giving due notice to both of them, as early as possible.

B.O.
21.3.47
For Secy to Govt.
Law Dept

Memo No. R. 9505 = Dated the ~~1st March~~ April. 1947.

~~Copy~~ is forwarded w.c. to the M.C. in Mysore, in continuation of this Office letter No.R. 9502/Misc-118-44-29, dated the ~~1st March~~ April 1947. on the subject for information and necessary action.

B.O.
21.3.47

App. F. IX-4

Previous References.

195 .
( )

File No.

Serial Nos.

Later References.

MYSORE GOVERNMENT SECRETARIAT

Serial Nos.

Part B for

SUBJECT

WD 03555—GPB—25,000—2-7-53.